



EDWARD M. KENNEDY ORAL HISTORY PROJECT

INTERVIEW WITH MICHAEL MYERS

August 28, 2006
Washington, D.C.

Interviewers

Stephen F. Knott, chair
Janet Heininger

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TRANSCRIPT

INTERVIEW WITH MICHAEL MYERS

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Knott: We're ready to go. Thank you for agreeing to do this.

Myers: Sure.

Knott: We know that you're an employee of Senator Kennedy's, more or less. We hope that you would still be frank with us and think about the fact that people will be reading this 50 to 100 years from now. You have control over your transcript, so if you want to add something after we complete the interview, feel free to do that. If there's something you want to pull out or put a restriction on, you can do that as well.

Heininger: And the Senator will not be seeing it, either. Tell us about when you first came to work for Kennedy and why you came to work for Kennedy.

Myers: My background is in international humanitarian affairs. My academic work was focused on that. In my professional work, I worked with nongovernmental groups and the United Nations for about a decade before coming to the Senate. So I was very interested in refugees and have worked on refugee programs, famines and disasters all over the world. Kennedy was the one in Congress who was most engaged in those issues at that point. I just had a lot of admiration for him.

This is a long-winded way of getting there, but in 1979, in my brief stint with the United Nations, I was assigned to a program in Hanoi, Vietnam, that was called the Orderly Departure Program. Kennedy was really the one who got that going. He was the one who came up with the idea and got the UN [United Nations] to take a look at it. There happened to be a former Kennedy staffer who was the Deputy UN High Commissioner for Refugees in Geneva, Dale DeHaan. You'll probably end up talking to Dale, who was in Geneva at the time. Dale pushed it forward and then I was assigned to negotiate the procedures for this program in Hanoi. That was a Kennedy tie, and the Kennedy people were very interested in what I was doing in Hanoi.

Jerry Tinker, who was on the refugee subcommittee at the time, stayed in touch with me through that period, and I reported to Dale in Geneva. That strengthened my ties with the Kennedy staff. I believe during that period that I briefed Kennedy at least once on the progress of the program, and then over the years after that stayed in touch with Jerry Tinker, in particular, who remained

on the staff. I would occasionally see Kennedy and tell him such and such is happening in Ethiopia right now, things like that, and just kept bumping into him.

Then in 1986, when Democrats regained the majority in the Senate and Republicans were firing and Democrats hiring, Jerry Tinker called me and said, “Would you be willing to be considered to come onto the staff?” I said sure. So in 1987 Kennedy hired me. I think it was February of ’87, something like that, that I formally came onto the staff, and that’s how I ended up here. I was working primarily on refugee and immigration issues at that point.

Heininger: Back to that earlier period. We’re aware of Kennedy’s interest in the Orderly Departure Program and in refugees. I wasn’t aware that there was this cluster of Kennedy people who were involved. Was it Dale who got him really interested in that?

Myers: Dale was the one who thought up the concept, and while Dale was still on staff here, he was pushing the idea. Dale had been considered for a job as Assistant Secretary of State in the [Jimmy] Carter State Department. Notwithstanding the differences between Kennedy and Carter, his consolation prize was that he was named the Deputy High Commissioner for Refugees in Geneva, which, at that point, traditionally had been an American post. Dale then was in the position to really promote that idea within the United Nations.

Heininger: Was there any work with [Mark] Hatfield at that point?

Myers: Yes. Kennedy and Hatfield worked together very closely through that period, particularly related to the Southeast Asian refugees. There was the Orderly Departure Program of people leaving by plane out of Vietnam, but there was an ongoing flow of boat people as well as people coming out of Laos and Cambodia into Thailand. Hatfield, as you know, was very engaged in that. Jim Towey was his staff person who, most recently, was [George W.] Bush’s faith-based advisor.

I worked very closely on those issues with Jim Towey even before I came onto Kennedy’s staff. I think Hatfield was even more aggressive about it than Kennedy sometimes in saying, “Let’s take ’em all.” Kennedy was more of the view, “Well, maybe we take most, but not all.” But they were a close pair, Kennedy and Hatfield, on that issue. They had worked together on things like the nuclear freeze and co-authored a book on that together. So they were very close.

One time—I can’t remember precisely what the issue was, but it related to screening criteria for refugees coming out of camps in Southeast Asia, the Vietnamese refugees. This was after I was already on Kennedy’s staff, and Jerry Tinker and I were thinking, *Well, maybe something a bit more restrictive, like what INS [Immigration and Naturalization Service] is talking about is appropriate now, and Hatfield’s wrong. We need to be a bit more restrictive.*

Jerry and I went to Kennedy to try to tell him that we thought Hatfield was wrong. He looked at us as if we were crazy. “My friend, the honorable Mark Hatfield, wrong?” It was almost inconceivable to Senator Kennedy that Hatfield was wrong. So needless to say, we dropped it at that point and backed Hatfield.

Heininger: If you could weigh the impetus for this, do you think it was more Hatfield or Kennedy, or was it Dale prompting?

Myers: The impetus for what?

Heininger: The whole refugee stuff, because this is all a segue into how the immigration stuff develops from there too, but that late '70s emphasis on refugees—did that come from both of them, or one more than the other?

Myers: That was before my time on staff, but I was in touch. To me it wasn't that remarkable that Kennedy would be deeply interested in refugees from the conflict in Southeast Asia for two reasons. One, he already had a record of concern about refugees. He had been heavily involved in the Biafra crisis and Bangladesh, when it was going from East Pakistan to being Bangladesh. So you just look at all of those and he was involved in them. He traveled to those areas back when he was younger and was deeply interested in refugees in general.

With Vietnam in particular, it was the refugee issue that made him oppose the war. He visited Vietnam in the '60s. I don't remember the dates exactly. I've looked at this and researched this for Kennedy as we were working on different projects, but he went to Vietnam once in '64 or early '65, something like that, and he came back still supporting the war. He went on a trip that was totally controlled by the [Lyndon B.] Johnson administration and the U.S. military in Vietnam. On the next trip, he took control of the schedule—and his chief of staff at the time, Dave Burke, set the itinerary. I've talked to Dave about that period over the years.

They took control of the agenda then, the Kennedy people, so he saw that while [William] Westmoreland was out there talking about the numbers getting better, the refugee flow within Vietnam was telling a different story. So it was the refugee experience that really colored his whole view of the war. It didn't surprise me at all that he would have a continuing concern after 1975, even after Saigon fell, with refugees from that part of the world.

Knott: Can you tell us about your initial impressions of Kennedy?

Myers: I was impressed with him looking from the outside because he just seemed to get it. When you'd see him in hearings or he'd speak up in meetings, he'd be the one who seemed to understand what you were talking about and what people were talking about. He seemed to be able to put two and two together and get the whole picture of what was going on, almost by instinct.

When I came to work for him, I was thoroughly intimidated by him. I remember my initial interview with him. I think it was almost a disaster because I was so intimidated. I've learned subsequently he likes people who are lively and who speak up. But I was just answering the questions and that was about it. I learned later that in my interview he was so uncertain about whether he should hire me that he had his chief of staff at the time, Ranny Cooper, make some phone calls just to double-check that what Jerry Tinker was telling him about me was OK, because I was so intimidated by him.

It took me probably about a year to begin to feel comfortable with him. He's such a powerful presence. There's something dynamic about the guy that wows me to this day. Initially, for me, it was pretty overwhelming at times.

Knott: You've gotten over it.

Myers: I've gotten over it. What helped was I traveled with him—took a foreign trip with him.

Knott: Where did you go?

Myers: Mexico. I spent a pretty intense week with him and it helped break the ice a bit more. It's not that I regretted my decision—I've never regretted the decision to work for Senator Kennedy—but it took a while to feel comfortable around him.

Heininger: How did you see the refugee issue segueing into the big focus on immigration? You get the development of the Select Commission on Immigration Reform in the late '70s that he was on. Did you see that the two issues were working together, or did he have a longstanding concern about immigration?

Myers: We the Kennedy people and Senator Kennedy viewed it as two different things. The refugee issue is a humanitarian obligation, so that's over here, and then immigration involves a different cluster of concerns. They really were separate, and we never really connected the two—never connected that refugee numbers could have an impact on overall immigration numbers later on, as refugees try to bring their relatives here. We never really connected those dots, I think, between the two, and in a way, I think it's still a bit that way today. Where the issues did cross a bit was on things like welfare benefits, who gets those. In those discussions, the refugees and the immigrants would get mixed together. But they were separate processes and in people's minds, different issues. I think even [Alan] Simpson saw it that way too.

Heininger: Did you find that other people in the Senate saw them as separate issues too?

Myers: I haven't really thought about that, but probably not. Some people who were involved in it, like Hatfield, would see them as separate. I don't think Hatfield was ever terribly involved in immigration at all. It was the humanitarian refugee dimension that he was concerned about. I can remember Trent Lott, when he was in the House, being concerned about it, because there were a lot of Vietnamese fishermen who ended up settling on the Gulf Coast and competing with American shrimpers down there. I can remember his talking about it. So people who may have been in areas impacted by refugees saw the two connected because it was just foreign people coming in and causing a local challenge.

Heininger: When you came to work for Kennedy, what did he bring you in to do?

Myers: It was really both refugees and immigration. Most of my professional background had been on the refugees and international humanitarian issues. I had worked for a few years prior to coming on his staff with a religious nongovernmental group that was heavily involved in the Simpson-[Romano] Mazzoli bill immigration reform legislation. I was their lobbyist, in a way,

for that legislation, and through that I came to know immigration laws and procedures, and I knew the Simpson-Mazzoli bill that became law in 1986. So I was brought on staff to deal with the refugee concerns, but I also came with a background in immigration. A lot of what we were going to be doing, we knew, was the implementation of the Simpson-Mazzoli bill. Since I knew it, I could help with oversight of the regulatory process, as well as future immigration reforms.

Heininger: As someone who watched putting together the Simpson-Mazzoli bill, what was your assessment of the concerns that were behind it? How did the Senators feel about it and what did you, from the organization that you were coming from, think of the bill?

Myers: In the late '70s there was a growing concern about illegal immigration, so that was what was giving rise to it. There was a sense—this is my biased Kennedy staffer's view coming in—that President Carter was dropping the ball on dealing with the problem, so people like Kennedy—who was running against Carter at that point—were rabbleroising on the immigration issue, and there was a push to try to do something. There was the idea coming from Congress of creating this commission to address it. Then Carter saw what was happening and he ended up embracing the commission for himself. At least that's my memory of how this happened. And then that became the [Theodore] Hesburgh Commission. It was a concern about illegal immigration that propelled that forward and caused the creation of the commission.

Heininger: You watched it from the outside the development of the bill. Where did it go from the commission to getting the kind of immigration legislation that was enacted in '86?

Myers: Simpson and Mazzoli pretty much introduced what the commission recommended. There was a decision at some point not to deal with illegal immigration and legal immigration all in one bill. There was a sense that that was just too much to deal with all at once, and it was going to be hard enough to get one part of it through Congress. If you put both of them together, it just might overwhelm the whole political process. So Simpson and Mazzoli introduced just the provisions dealing with illegal immigration, and that was something like 1980-81 when they did that.

Kennedy I think in his heart of hearts supported that bill and thought it was the right thing to do. He liked Hesburgh and got along with Hesburgh well. He was on the commission. He really liked Larry Fuchs, the executive director of that commission, and so when I was working on immigration here, I stayed in touch with Larry for years after that, just to get his ideas and advice. Every once in a while, he'd come in and brief Kennedy on immigration.

Kennedy really thought that bill was the right thing to do, but the politics of it were that the Hispanic community was deeply concerned about the employer sanctions. It was a hot civil rights issue at the time in the Latino community, and so MALDEF [Mexican American Legal Defense and Educational Fund] and LULAC [League of United Latin American Citizens] and a number of those organizations were strongly opposed to the bill. Even though it had the amnesty in it, they strongly opposed it because they thought the employer sanctions would lead to employment discrimination against Latinos. And so it was because of that civil rights concern that Kennedy felt, *I've always been on the side of protecting people's civil rights, so that's where I'm going to be on this bill*. So he voted no.

He didn't go as far as to filibuster. There were times when he could have filibustered the bill and brought it down, and he didn't do that, and Simpson always was grateful for that. Somehow he didn't hold it against Kennedy that Kennedy was a no vote on the bill, and he was always grateful that Kennedy didn't exploit those opportunities to bring it down through a filibuster.

Heininger: Talk a little bit more about the employer sanctions. What was the issue behind the employer sanctions?

Myers: The concern was that employers would be afraid of hiring Latino workers for fear of mistakenly hiring an illegal worker and getting fined. The concern was that anyone who looked or sounded foreign, employers would be loath to hire for fear of making a mistake and getting a big fine.

Heininger: Was it illegal to hire an illegal alien? Was it illegal for an illegal alien to work? Because one of the things that we discovered in looking through this was the whole Jack Brooks Texas Proviso.

Myers: The Texas Proviso. This is coming back to me now, yes. You need to double-check this, but my memory is that it had been for some time illegal for illegal immigrants to work, but not to hire them. The employer wasn't on the hook—it was the worker who was on the hook. There were provisions in immigration law about harboring illegal immigrants. So if you somehow harbor as the churches did with the Central Americans and the sanctuary movement—that was illegal. The Texas Proviso was that employing someone is not harboring. That was what the Texas Proviso was, so that's why employers were off the hook. This bill continued to make it illegal for illegals to work, but it added to the law a new provision imposing sanctions on employers who hired illegal workers.

Heininger: Was the intent then to cut—you get it from both directions, but how then did the bill deal with the issue of migrant workers in the farms on a seasonal basis?

Myers: There was a huge amnesty for agricultural workers. There were two amnesties in that bill. One was for agriculture workers, and the criteria were really loose for that one. Then there was another amnesty for everybody else. I think there was a recognition that there's a special need in the agricultural field for workers, but there wasn't a program put in place for the future, to my memory, in that bill. It was just a big agricultural amnesty, the SAW program. Special Agriculture Workers, I think is what it stood for. Simpson hated it at the time. He fought it on the Senate floor.

I remember at one point—it was one of the toughest speeches I've seen on the Senate floor—when Simpson stood up and berated Pete Wilson, a Senator from California who was promoting it, and said, "I'll tell you what's going on here. It's greed, pure greed." It was breathtaking to watch this drama unfolding. Simpson knew he had lost. He fought it, but it passed anyway, because agriculture was a pretty powerful interest on that one. I think Simpson's concerns were borne out. There was so much fraud in that program in the end it was unbelievable.

Heininger: From what you're saying, Kennedy's concern about the employer sanctions—were Hispanic concerns in Massachusetts driving his concern about the employer sanctions, or was it a broader civil liberties issue?

Myers: It was a broader civil rights issue. I don't know that he was hearing that much from Massachusetts about it, but he heard about it nationally. The national Hispanic groups really made their case to him because of his record on civil rights and because he was deeply concerned about civil rights. I've heard him say over and over to me over the years that if there's a possibility that discrimination can happen, it will happen. That was his belief, and so he just felt it would be inconsistent with his commitment to civil rights to support a bill that was raising such acute concerns in the Latino community. Latinos were the big face on it, and they were the most visible, but they were backed by Asian-American groups and others who shared the concern.

Heininger: The other issue in that bill that seemed to have stirred a great deal of controversy was what was written in the Senate bill as a more secure identifier. Watching from the outside, what was your sense about that issue? This was a big one for Kennedy too, wasn't it?

Myers: He wanted it.

Heininger: Why?

Myers: I think on the merits, he believed that we need to have a way to make sure that there is as much integrity in our immigration system as possible, that one of the things that can be corrosive in terms of public support is the sense that we're being gimmicked and people are abusing it. I can remember talking to him about it over the years. He felt that his position as an advocate for immigration is stronger if there's a sense that we've got it under control and we've taken the strong steps to make sure that the fraud is at a minimum—we're letting in the people we want to let in and kicking out the people we want out. A big part of that was dealing with the documents, because there was such an easy avenue of fraud through that.

I remember all the stories about what it was costing at the time to go down to a street in LA [Los Angeles] and get a fake green card. It cost almost nothing to get a fake green card or a fake driver's license, any kind of fake document you wanted, and he wanted to get to the bottom of that. Simpson was the real driver of that concern, but it caught on with Senator Kennedy too. I don't recall that there was so much on that in the 1986 law but when Kennedy and Simpson were working together on the 1990 law, which was about legal immigration, we grappled with it.

Heininger: That's because the date goes over this length of time.

Myers: Yes, we grappled with that one and Kennedy remembers to this day the discussions on that. In fact, in dealing with the [John] McCain-Kennedy Immigration bill today, he called Simpson several months ago to try to get Simpson to help out with the Bush administration on something, and Simpson brought up the documents. It was like turning the clock back 20 years or something. They were discussing it all over again. In dealing with the documents, Simpson

asked, “Ted, is it tamperproof? If you’re dealing with the breeder documents....” They brought up all these terms that I hadn’t thought of for years. Simpson was still on the case.

Heininger: I think that what happened with the ’86 one is that the more secure identifier got knocked out. It was in the Senate bill and then went over to the House, and I think it was Ed Roybal who got up and gave a speech. His “Nazi Germany” speech.

Myers: The tattoo speech, yes.

Heininger: How important do you think that would have been to have made the employer sanctions work?

Myers: In retrospect, really important. But no President seemed to want to touch it after that. [William] Clinton didn’t enforce it. [George H.W.] Bush one didn’t enforce it. [Ronald] Reagan was a real problem for Simpson through all that. He had a really hard time getting the Reagan White House on board the Simpson-Mazzoli Bill. I can remember some quotes in the press. He was dealing with the Chairman of the Council of Economic Advisors, or someone like that, who felt from an economic perspective it was the wrong thing to do. Simpson had some quote like, “He shot a hole in my bicycle tires,” *[laughter]* one of those Simpsonsque quotes from that time. No President wanted to invoke the ire of the employer community, so it just wasn’t done, and now we’ve got 12 million undocumented workers in the United States. You see how out of control the debate gets when that happens.

Heininger: So this brings us to you coming into the middle of all this. Simpson-Mazzoli had passed. What did you start working on then?

Myers: I don’t remember the first thing on my desk. Can I digress with a little story about my first day in the office? The day I was supposed to start there was a huge snowstorm here in Washington. Kennedy was up in Massachusetts, and Jerry Tinker, who was going to be my immediate supervisor, lived out in Bethesda. I lived just a few blocks over here on Capitol Hill. Jerry said, “Kennedy needs talking points for an event he’s doing up in Massachusetts. I know it’s your first day. I can’t get in. I’m snowed in out here in Bethesda and you live just a few blocks away. Can you trudge into the office?”

I didn’t have an ID. I didn’t have anything, not even a key to unlock the door. I remember coming to the Capitol police and saying, “You don’t even have me on your records, but I’m a brand new employee starting today. Can you let me into the office?” The Capitol police let me into the office. There’s no way that would happen today with all the security. They let me into the office and I figured out where the typewriter was and the paper was, and talked on the phone with Jerry to figure out how you write talking points for Kennedy. I had to figure out how to use the fax machine. So that was my first day in the office, that’s what I came into the middle of.

I don’t quite remember what was the first big issue on the plate. I remember we laid out a program for oversight of the implementation of the Simpson-Mazzoli bill—IRCA [Immigration Reform and Control Act] as everybody called it. We had hearings and meetings to see how the regs were going and stayed in touch with INS on all that. We spent a lot of time, I remember, on

those issues. At that point, Kennedy was far more involved still in foreign policy and refugee concerns, and did foreign traveling, which he does very infrequently now.

We had a lot on our plate with that, still with the concerns about refugees from Southeast Asia. His trip to Ethiopia in the '84-85 period with his family was still fresh on his mind. They went out over Christmas of 1984, he and his kids, to Ethiopia and Sudan, and stayed in the refugee camps. Once I was on staff I went out there every year, just to give him a fresh report. So those were the issues. It really wasn't any one thing, it was a whole mix of refugee and humanitarian and immigration issues at that point.

We did get started working pretty soon after I came on staff on what became the 1990 Immigration Act. Like I said earlier, there was a sense that Simpson and Mazzoli first wanted to deal with illegal immigration. That was done at that point, so now Kennedy was the new Chairman, with Democrats having regained the majority. He therefore wanted to keep that going and deal with legal immigration. We started working fairly soon on ideas for that.

Heininger: There was an interim bill in there too, in '88, that dealt with nurses and Irish in America.

Myers: I don't remember that.

Heininger: There's another big issue that came in here too that you were probably involved in—the deportation of Central American refugees.

Myers: Yes. I had been involved in that even before I came on the staff, working with Congressman [Joe] Moakley and Senator [Dennis] DeConcini.

Heininger: Did you work on that when you came to work for Kennedy?

Myers: Yes.

Heininger: Tell us about that one, because that was intertwined with this interim stuff before you get to the big 1990 bill.

Myers: I was working with church groups before, and some of them were connected to the sanctuary movement at the time, with churches providing sanctuary to Central Americans to prevent them from being deported. I got involved in the Moakley-DeConcini Bill, as we called it at that time, and so came to know Moakley and DeConcini through that and worked with Senator Kennedy and Jerry Tinker on it. When I came on board, Jerry Tinker didn't like that bill. He thought it was the wrong thing to do and so he pretty well turned it over to me. He said, "If you like that one, you can have it."

I worked that one pretty much on my own with Kennedy at that stage. Simpson would never give it much attention. He opposed it, but Kennedy then, I recall, scheduled a markup for it so DeConcini would get his day, and try to get his bill out of the Judiciary Committee. I can't remember all the details of how that progressed, but it finally became law, as an amendment to

the 1990 Immigration Act. Moakley added that in in the House. A side story on that, which ended up saving the 1990 act from the dust heap of history. The reason was that we had tough ID provisions in the 1990 act too, and that made it through conference.

When it hit the House floor, a firestorm erupted about civil liberties and national ID card and all that stuff, and so, to our surprise, the bill went down in the House. It was totally unexpected. It even caught the House Democratic leadership by surprise.

This was in the evening. Moakley was Chairman of the Rules Committee over there at the time. So he convened the Rules Committee in the middle of the night and fashioned a rule that stripped out part of the ID provisions in the bill, and that's the way we got it through.

Later, Moakley, in a conversation with Kennedy, said, "If my Central American refugee provision hadn't been in there, I might not have found the time in the middle of the night to have a Rules Committee meeting to pull everybody together." I believe it. I think that ended up saving the Immigration Act of 1990, having it in there, and gave Moakley the impetus to make it happen.

Heininger: Which Central American refugees did Moakley and DeConcini care about?

Myers: Salvadorans. Guatemalans came in later. Guatemalans probably were hammered harder than Salvadorans, but that came in later. It was really Salvadorans that initially got them interested.

Heininger: Where was Kennedy on it?

Myers: He was a supporter. He wasn't a huge cheerleader for it, and that may have been because Jerry Tinker never liked it. But he was a supporter.

Heininger: What about the Nicaraguans?

Myers: They were added to it, weren't they?

Heininger: By Kennedy, if I recall.

Myers: I can't remember how we ended up doing that. I think we did that—yes, I'm beginning to remember now.

Heininger: An issue of evenhandedness.

Myers: It was a tactical move, because you had Republicans concerned about what was happening to Nicaraguans as a result of the left-wing government there. So we were saying, "OK, well, let's add those in too," and basically challenged them to oppose it.

Heininger: It seemed to have worked.

Myers: Yes.

Heininger: So where did the undocumented Irish in America come from, and the nurses?

Myers: The Irish I can speak to. The nurses—my recollection is that was something that was a big issue with Paul Simon, but you need to double-check me on that. My memory is that Simon was the one who kept pushing nurses during his time on the Immigration Subcommittee. There were hospitals in Chicago that stayed in touch with him where they had nursing shortages, and they had all these Filipino nurses who were there with temporary visas. He was a big advocate for them.

With the Irish, first off, at that time the Irish economy was bad, so there were a lot of Irish coming here looking for jobs illegally. It was a big issue in the Irish community in the United States, so that means Massachusetts. Irish politicians were urging the United States to do things for the Irish here, to help out, and there was this sense that if you looked at immigration, the Irish no longer really qualified under our existing immigration laws. Because it had been so long since there was a real Irish immigration, there weren't the close family ties and the other criteria that would allow them to get green cards.

There was this growing sense that Irish were being discriminated against in our immigration laws now, and Kennedy felt that. He, to this day, remembers the “No Irish need apply” signs in Boston. He still feels like there is some discrimination that he experienced in his family's history as a result of being Irish Catholic.

Knott: Do you think that's an important factor in his stance on these issues?

Myers: Yes, and on civil rights generally, even today. He won a regatta a couple weeks ago with the Nantucket Yacht Club. He's won it before and is a very good sailor, but this Nantucket Yacht Club is very British, an old Boston Brahmin British kind of place, and he to this day feels like they resent that this Irishman won the regatta. I was talking to him about it just a few days ago. It's still in his psyche. So the sense that Irish were being discriminated against in our immigration laws would resonate with him, and he very much wanted to do something about it.

We're trying to figure out well, how do we do it? You can't just have an Irish provision, because that would never pass Congress. The Poles and everybody else would want to be part of it. We were scouting around for ideas, but I didn't think we did anything about it until the 1990 act.

Heininger: I think it came in in '88. I think it was done separately.

Myers: Let me show you something. This is the front page of the Immigration Act of 1990, and “diversity immigrants,” that's Irish. This whole bill deals with our entire legal immigration system, family reunion, employment and all that, and the one part that Kennedy writes about is the Irish part, and he does it in green ink.

Knott: Could you read it, Michael?

Myers: “To Michael, who helped take down the sign on the Statue of Liberty that said, ‘No Irish need apply.’ Many thanks for this and all the other things you did so well. Best Wishes, Ted Kennedy, 1993.” He circled the diversity immigrant part.

Knott: That’s great. Is he good about doing things like that for staff?

Myers: Yes. That’s just a part—I’ve got a bunch more at home.

Heininger: It may have passed just the Senate at that point, in ’88 and not made it through all the way.

Myers: Yes, the whole big bill passed.

Heininger: Well yes, and also the diversity piece. It was an interesting side piece to what becomes the big bill. Why don’t you tell us about the big bill in 1990? We know that’s a piece of it. What about those other two that are written in smaller—

Myers: As I said, there was a sense that we would deal with illegal first and then legal, illegal having been dealt with, enacted in 1986, and now the task was dealing with legal. So we worked very, very, very closely with Simpson’s people. Kennedy had said that’s the way he wanted to operate. I remember his words, “Let’s maximize where we agree and minimize where we disagree.” In terms of him dealing with Simpson, those were the marching orders he gave Jerry Tinker and me as we worked on this bill and any other issues in the Immigration Subcommittee.

Heininger: Let’s digress for a minute. Tell us about his relationship with Simpson.

Myers: They hit it off from the beginning. Kennedy pulled off what I thought was kind of a diplomatic miracle. Even though he was opposing Simpson’s big bill, Simpson was still grateful that Kennedy never took advantage of the procedural options to scuttle it, and so in a way, Simpson felt that Kennedy helped him get his bill passed, even though Kennedy was a no vote on it. There’s a lot to that, because the Simpson bill tended to see action at the very tail end of a Congress when, if you could just kill two days, it would be dead and you’d have to start over again in the next Congress. Kennedy never took advantage of those opportunities to delay it and have it die.

Heininger: Do you think that was because of his relationship with Simpson?

Myers: Yes. He felt that Simpson was doing an honest job of moving it forward. People felt about Simpson that he was a person of his word. That’s how he rose to become Whip so quickly on the Republican side. There was an affection and I think a respect between Kennedy and Simpson. Kennedy said, “I’m going to vote no because I feel like that’s the thing I should do, but I’m not going to get in your way, Al.”

Heininger: What about at the staff level?

Myers: The staff was very close. Jerry Tinker and Dick Day—Dick Day was Simpson's chief immigration guy at that point—they were very close and really became personal friends. Then they had a guy at my level, Carl Hampe. We were both the second chairs on immigration, and we became close. We stay in touch. In fact, I stay in touch with Dick Day to this day too, and I stay in touch with Simpson. Every once in a while I pick up the phone and call Simpson. He's always interesting to talk to. So we all became very close and admired each other. They were a really thoughtful, common-sense bunch, I thought, and were very pleasant to work with.

Heininger: Was this an unusual staff and member relationship?

Myers: I think it was, and people saw it that way too, that Kennedy and Simpson had a thing going here that was pretty good and people respected it. At the time, first off, immigration seemed like it was, back then, not quite as hot an issue as it was today. It was hard. It took three Congresses to get immigration bills through even then, but people deferred to Kennedy and Simpson on immigration. I think generally, in the Senate in those days, people deferred to the chair and the ranking of the relevant committee on whatever the legislation was. There was a lot of deference, there was more collegiality in that respect, and people figured on immigration, if Simpson and Kennedy can agree to it, of all people, it must be OK, and they felt comfortable voting for it. They just deferred.

It's not that way anymore. I don't mean to sound like an old fogey, but there are 100 experts in the Senate now on immigration. No one defers to anyone, and that's true of issues, I think, pretty much across the board, as the institution has changed over the last quarter century that I've been involved in it. It was something really unique. If Kennedy and Simpson could reach a compromise and agree on something, we could be 90 percent certain it would pass the Senate, and we didn't have to go out and count votes.

Heininger: So it was two powerful personalities from different political persuasions who were highly respected by other members of the Senate, so there was deference to that.

Myers: Right.

Heininger: To what extent did they stick together?

Myers: Kennedy and Simpson?

Heininger: Yes.

Myers: Pretty much. Kennedy voted no on the '86 act, but they worked very closely together on the '90 act, worked very closely on what became the '96 immigration reforms. All through that period they made a point of being very close, and for many years it was just a three-person subcommittee. Paul Simon was the third member of the subcommittee. So Simon would just make sure Kennedy didn't go too far in compromising. He was always pulling us to the left and keeping us honest to our left, but Kennedy and Simpson were a duo. It was quite a team.

Heininger: So the '90 bill was designed to deal with legal immigration. What were the problems believed to exist that needed to be rectified in terms of creating new legislation on legal immigration?

Myers: A couple of things. One is we wanted to make sure that the employment-related visas were responsive to what employers needed at that point. That was more a Simpson priority, and working with the business community, it would be more natural for him to want to take care of that. For Kennedy the big priority was the huge backlogs for family reunification. He felt that family unity, family reunification, is the cornerstone of our legal immigration system. I think he even used that term. There was a cornerstone. There were families that had to wait years and years and years for their numbers to come up in order to get their green cards because the quotas were so limited. So you had spouses separated. Brothers and sisters practically had to be brought in by an undertaker, it would take so long for their numbers to come up.

Heininger: It was a quota problem, not a processing problem?

Myers: It was a quota problem. Kennedy was interested in expanding the numbers available, which was against Simpson's grain, but we reached compromises on that. My memory is that Simpson was fine upping quotas for spouses and children, and so as long as we were doing that, he was fine. He had real heartache about doing it for siblings. He just felt like that was a far lesser obligation. We had a lot of pressure from the Asian-American community in particular. Siblings were a big deal in that community particularly, so they were really pressuring us to make sure that we kept that sibling category as robust as possible.

At one point we were almost with Simpson in trying to cut it a bit to give those numbers to spouses and children, but then the Asian community came in pretty hard on us and Simon was with them, and he was the one who made us do more on that category. Then of course there's the diversity visa, the Irish visa issue. On the Irish issue, we really had to be creative to figure out how to do it without making it seem like a special interest visa provision. We scouted around for ideas. We looked at what the Australians were doing, what the Canadians were doing—countries that were immigrant countries like the United States. I ended up traveling to Ottawa at one point to look at the Canadian system, and they had a system where they assigned points for certain traits or skills.

We figured out a way to have a point system in our Senate bill that would favor the Irish. We'd give points for countries that were shortchanged by the current immigration law. That, we thought, was a neutral way of enabling Irish to get green cards. That's what passed the Senate. The House had a very different approach to it, where it was more of a lottery, and the lottery is what ended up coming out of conference. Those are the kinds of concerns we were dealing with in drafting the '90 act.

Heininger: If you look at the broad debate over immigration since '65, in '65, the legislation made major changes, and if you could talk a little bit about that and how it gets to the 1990 bill; where the problems were with what the changes were with the '65 law.

Myers: I think there would have been problems with the Irish regardless of the '65 law, because just as a matter of history, there was heavy Irish immigration in earlier periods. Then there was very little Irish immigration for a period—from the '60s and the '70s. So as a result, the close family connections that were the cornerstone of immigration were no longer there. Instead of having your wife here or your brother here, it was now your uncle or your second cousin. As a result, not just Irish but most of the Poles and others didn't have those close family ties in the United States anymore. I think that would have happened regardless of passage of the Immigration Act in 1965.

The importance of the act of '65 was that it's really a central part of that whole civil rights push of the '50s and '60s. I think it's right up there with the Voting Rights Act and the Civil Rights Act of '64. You had the Voting Rights and Civil Rights Acts both in '64, then you had the Immigration Act in '65. It was all part of that march of progress on civil rights. I view it more through that prism than anything else.

Heininger: Is that when it was changed from national origins to quotas to family preference? The tiers went into place then?

Myers: Yes, and got rid of the discriminatory national origins quota system, the limitations in what they called the Asian Pacific Triangle. That got rid of all that so that all countries were treated equally under the immigration laws. They had the same quotas for each country all over the world regardless of what continent the immigrants were coming from.

Heininger: Was it expected at that point that this would end up disadvantaging Western European immigration?

Myers: No. I remember going back and looking through that debate again to see if there was some discussion of that, and there was some discussion about how immigration should be European. There's a little bit of that racist element in the debate, even at that time, but I don't think there was any sense—in fact, Kennedy certainly wouldn't have wanted that to be the effect, as the manager of the bill in 1965. So there was not that expectation that it would.

Heininger: But that's ultimately what happened?

Myers: Yes. I don't want to get too cute about this, but like I said, I think that Irish immigration would have been limited regardless of what happened in '65 because of those attenuated ties. There wasn't the sense back then that whatever was being done in '65 might end up meaning there weren't more numbers available for Europe in later years.

Knott: Can you tell us a little bit about or give us some sense of Kennedy's leadership style? For somebody looking in from the outside, how would you describe that to them?

Myers: Well first off, there's a personal dynamism. He's the kind of person—I've seen it over and over again—where he can walk into a crowded room and instantly the attention is on him. There's just something about him. Maybe it's just that people recognize his face, I don't know, but he's got that kind of presence that I think enhances his leadership. People just look to him,

there's something, a kind of magnetism. Beyond that, in working with his colleagues, he works very, very, very hard at relationships. If a colleague has faced a particular hardship, he'll call him. If they're ill, he'll call them. He'll approach them during votes on the floor and just chat them up a little bit, "I hope things are going OK."

Birthdays. Senator [Robert] Byrd's birthday particularly. On Senator Byrd's 80th birthday, he sent him 80 roses. He really works hard at those relationships on both sides of the aisle, and so, as a result, I think that pays off. He's kind of famous for doing these bipartisan bills with [Orrin] Hatch or whomever, and Simpson on immigration, and that's all a result of really working hard at those relationships. So that's part of his leadership too. And then finally, he studies really hard. He learns his issues.

We do thick briefing books for him and he'll go through them. You can tell he's read every page because he'll be marking and he'll write questions in the margin, "Want more on that. Didn't quite understand this." He really studies up and feels almost uncomfortable when he goes into a meeting or markup in which he doesn't feel as if he's better prepared than anybody else in the room. He spends his evenings reading. He takes a big briefcase home on weekends, just reading up on the issues that he's dealing with. When he's got a hearing coming up, when a hearing is coming the next week or complicated issues are coming up, he likes to have us put stuff into his briefcase, "his bag," as we call it—for the weekend, so that he can spend the weekend studying up for what he's going to face in the coming week.

I remember when we were dealing with the No Child Left Behind Bill, the education bill, and we were going to be debating it on the Senate floor pretty soon, he had sessions at his house. We'd go out there and spend two hours going through it and then come back in the afternoon and do another two hours, bring in a couple of experts to explain particular parts of it. He read that entire 800-, 900-page bill himself, cover to cover, and I've retained the copy of that just for posterity because it's got his marks all through it, where he underlines or makes margin notes to remind him of what a particular provision does.

He found a drafting error in the bill in which on page 237 it says that the effective date is October 1, but on page 563 it says January 1. "Which is it?" We took that back to legislative counsel and they said, "Yes, he's right. There's a conflict in the effective dates in the bill." He was finding stuff like that as he was going through it. So he really, really, really studies his issues.

He's pretty good at faking it when he has to. That's usually when he blusters the most—when he's less secure about the content of what he's saying. It's the relationships, it's the magnetism, but it's knowing his stuff, too, that I think all combine to make him a leader.

Knott: You mentioned before about Simon being concerned that he might perhaps compromise too much, if I understood you correctly.

Myers: Yes.

Knott: Is that a common concern amongst some of his Democrats?

Myers: Yes.

Knott: Because we've heard that recently in the media. They've been mumbling about this.

Myers: It's always interested me that on the one hand, he's viewed as the liberal lion across the country. I'm from Mississippi, so when I talk to my relatives in Mississippi, they all view him as this almost crazy liberal. They will say, "He's just so liberal. He's out there." Sure, his liberal record, I think, is unassailable, but at the same time, he's willing to make compromises in order to pass major legislation. I think that's the only way you pass a major bill—you make tough, tough compromises—and he's willing to do it.

For one thing, he's big enough to do it. With some maybe less seasoned politicians, they may not be able to take the heat of bucking the AFL-CIO [American Federation of Labor-Congress of Industrial Organizations] in order to put forward a compromise on something, whereas he's strong enough and secure enough and has done enough for the AFL-CIO over the years that he can let them oppose him in one area now and then. He's willing to make the compromises.

Knott: I was wondering if you might be able to explain what some people have a hard time explaining, which is that sometimes his rhetoric is pretty tough, some might say over the top on occasion, and yet at the same time he is capable, seemingly, of this kind of compromise. Is the rhetoric all part of the plan?

Myers: Yes. He has a sense of how far to go on the rhetoric. It will be certain issues in which you see the fieriest rhetoric, and some others it will be calmer, because those are the ones in which we're working on something that's bipartisan, so we'll cool it for a while. You'll notice, for example, on the Medicare Prescription Drug bill that became law three years ago we were working really hard for a few years on a compromise, working with the drug industry to try to get something together, working with some Republicans.

For a few years, if you look at his record, you'll see very little inflammatory bashing of the big, bad drug companies and all that stuff. We'd just cool it with the drug companies for a while as we were working on this compromise approach to the Medicare Prescription drug bill, and Kennedy ended up supporting the version that came out of the Senate. It got totally messed up in conference and Republicans gave it all away to the HMOs [Health Maintenance Organizations] and the big bad drug companies in the end and just abandoned the bipartisan product coming out of the Senate. It was a scurrilous episode surrounding the passage of that bill. That's an example of how he'd cool it for a while. We've since resumed our drug-company bashing. *[laughter]*

Heininger: When does he do the negotiating and when does staff? Where is the division of labor?

Myers: I don't know that there is a single answer to that. It depends on the issue; it depends on who we're dealing with. At least on issues I'm handling, I try to make a start of it at the staff level because Senator Kennedy has so much on his plate. As much as I can do at the staff level, it's better for him, it's less he has to do and less he has to add to his crowded schedule. So I tend

to try to reach out and start at least laying the seeds of compromise with whatever Senator we're trying to work with on a particular proposition. That doesn't always work.

Sometimes it takes that Senator-to-Senator contact to really make something happen. Sometimes things get started by that Senator-to-Senator contact, then the staff is instructed to work it out. That's how he and McCain tend to operate, for example. The two of them see each other on the floor and McCain says, "Ted, I want to work with you on immigration, OK?" "OK. Staff, work it out." [laughter] That's about as far as they'd get.

Knott: Is that how it happens?

Myers: I was there on the floor when they talked about it.

Heininger: Do you have a sense as to when you need to call him in?

Myers: Yes.

Heininger: Does he delegate a lot of authority to his staff?

Myers: Yes. We're doing a lot of things all at once, so he has to have some trust that his staff is on top of it. There are a gazillion smaller issues that we often don't even bother to tell him about, that we worked something out or got this little amendment done, because they're just not big enough to necessarily rise to his attention. We may do a one-page memo just to say by the way, this happened and we told the people in Massachusetts and they were happy. That's about all he needs to know about it. He does delegate an awful lot but he's very hands-on himself. I don't mean to say he's removed from it all. When there's a staff negotiation occurring on a big thing and he knows it's going on, he'll drive me nuts sometimes calling every hour to find out how it's going. He's just very engaged in it.

Heininger: What differences do you see in him when he's in the majority versus in the minority, particularly dealing with committee stuff?

Myers: That question was in the book, and I've been thinking.

Heininger: Yes, it was, because some members' behaviors don't change and others really do.

Myers: In the majority, because you're setting the agenda, he's able to initiate more. That's the difference. It's more his agenda that is the starting point and sure, you have to compromise still along the way, but you're starting out with the Kennedy bill and not trying to work something out with [Michael] Enzi. You're not starting out with the Enzi bill and trying to work the Kennedy pieces into it; it's the reverse. That's a big difference. We're playing more on Kennedy turf rather than trying to win the game on Enzi's home field. I find there's a big difference in that in setting the agenda and the starting place for the discussion and so forth. If Kennedy were chairman of this committee again today, we'd be doing a whole lot more on health care than Enzi is doing. So there is a big difference.

There's also a bigger sense that you've got to be a leader because you're setting the agenda and people are looking to you for the agenda. We were in charge in this committee for 18 months, right after the [James] Jeffords switch. There's a very different feel and a different sense of responsibility that you have to move along the agenda for the Democratic Senate. As a result, I think he feels a different obligation. I sense that he felt a different obligation when he was chairman than when he was ranking member.

Heininger: You've seen him go through a number of these shifts back and forth. What has his relationship been with either the chairman when he's been ranking or when he's been chair with the alternate ranking?

Myers: It's always been good, and he's worked hard to make it good. When Hatch was the chairman of this committee, he worked really hard to have a very good working relationship with Hatch. He would even do things for Hatch's staff from time to time, just chat and yuck it up with a Hatch staffer. Sometimes instead of calling Hatch, he would call the staffer just to—it wasn't that he was doing it just to make something up to say. It was almost as if he would look for opportunities to butter-up the staff, to make sure the staff liked him as well as Orrin Hatch liked him. He's done that with Hatch.

He did that with Judd Gregg. Gregg was a tough nut. But Kennedy still worked hard to try to cooperate with Gregg wherever we could and work things out with him. I, as a result, to this day, have this relationship with Judd Gregg that surprises people. We see each other in the hallway and Gregg will stop and chat with me, and it just surprises people because they think of him as such a dour guy.

Then the same with Enzi. Of course Enzi came on the job with the view—as Enzi puts it, “We agree on 80 percent. If you look around the Senate on any issue, we probably agree on 80 percent. So let's try to get that 80 percent done.” As a result, almost everything we've done in this committee under Enzi's chairmanship has been bipartisan. Long, agonizing negotiations to get there, but at least there is this commitment to be bipartisan.

There were a couple of times in which Enzi was under the gun from his leadership to get certain things done and we, to the dismay of some of our Democrats, helped him out in getting it done. It was kind of like when Kennedy did not filibuster Simpson's bills. It's not that we necessarily support everything Enzi was doing, but we at least facilitated the process. For example, when Enzi was under the gun in the reconciliation process this last time, the budget process, to get out in time a bill that had some budget cuts in education, we helped him out in not blocking that in the committee and getting our Democrats to just hold their noses and let it go, then fought it on the floor. Enzi remembers that, so as a result it helps out on a lot of the other bills that we've been working on.

Heininger: You said he works very hard at relationships in the Senate. You've seen through one piece of his career where he was already doing it. Is that something that you think he learned to do? Or is that temperamentally the way he came into the Senate dealing with people?

Myers: I don't know. I'd be interested in how it was in the '60s for him as a young Senator. I don't know from then. He's a very social person. I find sometimes being with a crowd tires me out, but with him being with a crowd can energize him and he recharges his batteries by being around people. He's a very social person in that way naturally, so I think that makes it a little bit easier for him in building these relationships. I remember one time he was really upset with us because we didn't do the thank-you notes that same day. We took a couple days to get the thank-you notes done for something and he had wanted to have them where he could sign them that same day. I remember his saying to me, "My mother taught me to do thank-you notes to thank people for things." He brought that to the Senate.

Heininger: Is that unique? Do other members write thank-you notes like that?

Myers: Yes, others do, but not all.

Knott: You mentioned before, in passing, something about how he has so much on his plate and there are times when his staff won't tell him of a minor amendment or change or something. Is that a possible weakness on his part?

Myers: That he does too much?

Knott: Is he stretched too thin?

Myers: I don't call it a weakness. He does have a hard time saying no, because there are so many issues that interest him. There are so many issues that come up in which he has a history. If it's something he worked on in the '70s, he feels as if he still has a stake in it, and so he doesn't want to cede it completely to somebody else. If it's something that he got going in an earlier time, he wants to keep at it. If a bunch of those come up all at once, it's really tough to figure out which ones to give his attention when he's got a record on all of them. I don't know if that's a weakness or not.

Knott: We're trying to get a measure of both his strengths and his weaknesses, and I know that's always a difficult question for current staff to answer.

Heininger: How has your job changed in the years that you've worked for him?

Myers: I've gotten more responsibility. I think I've changed from being the substance person on a narrow set of issues to being an alter ego on strategy. I keep track of a lot of issues. I don't just do the issues before the HELP [Health, Education, Labor, & Pensions] Committee for Kennedy, but it tends to be whatever is hot for him. That's what I work on. I've spent more time working on Iraq the last four years than I have health care, just to cite an example.

Over the years, I've learned to think like he does. For better or worse, I think like he does. For him, I guess it's a good way to talk something through, because I have a sense, an instinct of where he's coming from in approaching a particular issue and what his real concern would be in moving forward on something. What's really important to him when it comes to Iraq, for example. Why would he be concerned about that? I'd have an instinct, a sense, about all that and

I think as a result he thinks of me as an advocate for his view, not just outside, in the Senate and the larger world, but within our own staff. I get the sense that he looks to me sometimes to argue his position within our own staff when we have debates about where he should go on something. I don't know if that answers the question.

Heininger: That's an important piece. If there's something that you think is important, to what extent can you get him to do what you think he ought to do?

Myers: Most of the time, but it's so symbiotic at this point that I probably subconsciously screen out stuff that I know that he would never do, and so I just go to him with things where I think there's a realistic prospect that he'd be willing to do it.

Every once in a while there will be something really hard where I know he's got to stop doing this or he's got to do that, which I know he will not want to do. So I'm often the one who takes the difficult things to him. For example, when we were working on that Medicare drug bill, a couple of times he was seen as getting a little too close to the drug companies. We had a former staffer who was a lobbyist for one of them, who is a friend of his, and I was the one who went to him and said, "I think you need to cool it with your friend for a little while. You need to stop working with him for a little while because the appearance is just too bad." He heard it, he took it, and he did it. He stopped working for a while with this former staffer.

Heininger: Are there things that he has done that have been initiated by you? Are there ideas that you have brought to him of things that you think he needs to do that he has picked up on and done?

Myers: Yes. The idea of announcing his position in favor of withdrawing from Iraq. He gave the speech over a year and a half ago, and I pushed him to announce that position then. It may have been a mistake, because he got blasted for it. He was there already but I pushed him to go public. That was my sense, because I felt very early on that he should be talking about withdrawing. In the education field, the work that he's done on globalization. We need to be looking at math and science and really emphasize that in education in order to remain competitive in the global economy. He brought in a lot of that too, but that was something I really was pushing and driving on. There have been a number of things over the years.

Heininger: How do you deal with his personal staff?

Myers: We're all one staff. There really is no separation. I know in a lot of offices there is a separation, but he doesn't view it that way. We're all one staff, whether our paychecks happen to come from this committee or the Judiciary Committee or the personal staff, we're all one. In fact, the budget, we just pool it all.

Heininger: Really?

Myers: Yes. The money that comes from our HELP Committee Budget may be used to subsidize someone on the Judiciary Committee, or we may put a couple of people on the

personal staff on the payroll over here, just do whatever is needed to push forward Kennedy's priorities. That's the way we do it.

Heininger: Is there any regular staff grouping, meetings with him?

Myers: No, there is not, and I don't think there ever has been. Every once in a while, like the end of a session, he'll pull everybody together just to say thanks for all the hard work. There's that kind of thing, but there's not a staff meeting with Kennedy.

Heininger: How does communication work with people spread out in a bunch of different places doing different things?

Myers: Mainly by memo. What we call "the bag," drives the day, and one of the first messages we get on our computers when we come in in the morning is what time bag time is expected to be. You've got to have your stuff into his briefcase before he heads out the door. So bag time—you plan your day so that you don't miss bag time. Make sure you get your memos in by bag time, and so it's largely memo. He'll write stuff on the memo. If it's something where we need a decision, we'll have a box he can check, yes/no, things like that.

On other issues that are more complicated, we set up briefing time to come in and brief him for example on changes to the Foreign Intelligence Surveillance Act that need to be done as a result of the Bush eavesdropping, things like that. That requires more of a sit down and walk through it session with him. For me, I don't write that many memos with him because I'm with him most of the day. I end up as we're walking from one thing to the other just bouncing something off him or asking about something. That's the way I interact with him, more verbally, and we talk on the phone a lot. In the evenings or in the early mornings, he tends to call me. That's how I do it, but others don't have that kind of frequent access and so it's more by memo.

Heininger: Is there anybody who coordinates everything?

Myers: Eric Mogilnicki, the chief of staff, does that. There's been a tradition, though, that while the chief of staff coordinates everything, the legislative staff handles the legislation. Sure, the chief of staff needs to know what's going on, but the chief of staff isn't so much an issue coordinator as much as just an overall office, political coordinator, fundraising coordinator, and taking care of Massachusetts coordinator, that kind of thing.

Heininger: How do you interact with Carey Parker?

Myers: A lot. He's the wise man in the office, so I'm always asking his advice on things. He's so, so smart, and he's a great resource. When I get stuck on something, if I can't figure out how to handle something, he's usually the first person I go to to get advice on that. Over the years I've developed into a fair speechwriter. I've drafted a lot of Kennedy's big speeches. Carey Parker is a great, great speechwriter, so Carey and I collaborate a lot on speeches. There will be times when Carey writes something that Kennedy doesn't think is quite it, and Kennedy will ask me to finish it, and vice versa. So we end up collaborating.

There's a photo I have at home that's one of my prized possessions. It's three of us and Senator Kennedy at the convention in Boston because there were three of us who wrote that convention speech. It was me and Carey, and then we hired an outside speechwriter to help with parts of it too. It was a great collaboration and just so meaningful to me to have worked on that big speech with Carey.

Heininger: We know that the Kennedy network is much broader than just what sits in the Senate. Talk some more about the broad Kennedy network—the former staffers, the Boston people. How does that whole operation work?

Myers: It's very informal. It boils down to about a dozen or so who are Kennedy's real kitchen cabinet. When we're going to be making a move that may be new or politically dicey, I often touch base with those people or he'll call to get their feedback on things. They're very smart, capable people. There are some former staffers you kind of resent when they call and they know it all. You just think, *They don't know what I'm going through right now*. It's a different period. For this inner kitchen cabinet—

Knott: Could you identify some of these people?

Myers: Yes, I will. This inner kitchen cabinet, they don't ask for much and they're just very competent, accomplished people. It's people like Paul Kirk, Dave Burke, it's Bob Shrum, it's Greg Craig, Ranny Cooper, Nick [Bancroft, jr.] Littlefield, who was the lobbyist I had to tell Kennedy not to deal with for a little while. Let's see, who else? Larry Horowitz, now David Nexon, who used to do health care here, is now—he left just a little over a year ago, but we're beginning to rely on him as an outside advisor on the health care base.

Every once in a while there will be a discreet thing that comes up where you think, *That's something person X handled and maybe we should talk to them about how that came about, because we're not quite sure on the history and some of the relationships involved*. The ones I mentioned are the ones we end up talking to most often. There are some other people who aren't necessarily former Kennedy staffers whom we tend to talk to up in Boston, who are prominent brokers up there and people like that. But the ones I mentioned are the former staffers whom Kennedy is personally still very close to. He socializes with them and we rely on them a lot for their judgment.

Heininger: Is this unusual for a Senator?

Myers: I don't know. Not having worked for any other Senator, I don't know the answer to that. For one thing, he's been in longer, so there would be people over the years—he would have accumulated these contacts and would know who has his interest at heart and offers pretty good advice. He's had a lot of people to pick from over the years to develop this small kitchen cabinet.

Heininger: Does the loyalty run in both directions?

Myers: Yes. He'd do anything for those people.

Heininger: That's unusual, I'd say.

Myers: I feel like he'd do anything for me. If I had an illness in my family that needed some intervention at NIH [National Institutes of Health], he wouldn't hesitate. I remember when Carey Parker was ill a few years ago, had a heart condition and was away from the office, it may have been up to a year, just trying to recover from that. At first Carey's wife would not let anyone come see him, and that was just killing Kennedy. He wanted to see how his friend Carey Parker was doing. So he just said, "Screw it. I don't care what she says. I'm going." And he got in the car and went to Carey's house and knocked on the door. I feel like he would do the same for me.

Heininger: How long does it take staffers to develop that kind of relationship with him?

Myers: With some, it never happens. With others, there's almost an instant liking and respect. I can't say there's a general rule. When I hire people, I interview them and check out their professional credentials to make sure they know their stuff. When I interview, I'm looking for chemistry more than just about anything. By the time they get in front of me for an interview, I already know their professional background. So I'm really looking for the chemistry and trying to guess whether this person will click with Kennedy or not.

Sometimes I guess it right and other times I don't. The chemistry is a big, big deal. There's something intangible that some people click, others don't, and the ones who don't it doesn't mean that he just pushes them aside. They're still valuable staffers and all that, but there's an extra level of confidence that comes when the chemistry is right. There's a sense that you're really out there for him, you really have his interests at heart in what you're doing, and not everyone communicates that with him, not everyone clicks that way with him.

Heininger: Does it affect the degree to which he accepts that person's advice?

Myers: I think it has to. There are some people on our staff now who are quite good at what they do, have done some amazing things, and have passed some amazing bills, but still, I don't think he would ever view those people as someone who would take my job, for example, if I were to leave or one day become the chief of staff over in the personal office. He'd just never view them in that way, as confidants. They're more professional advisors than confidants.

Heininger: How long did it take you to get to that stage with him?

Myers: I don't know. It was a long time. I've done two stints with Kennedy. I worked with him on the Judiciary Committee, and then when Clinton was elected, I went to the Pentagon as a political appointee for a couple of years and then came back. And it's really since coming back that I've developed the closer relationship with him, just gradually, over time.

Heininger: Would you say you were more in the professional category, hired for your expertise and your knowledge and that you worked on that basis, on substantive issues? Then when you came back, you've had a much broader portfolio?

Myers: Yes. There was a difference when I came back. For one thing, when I came back I was more of a free agent. I was in charge. It wasn't Jerry Tinker, then Kennedy, in terms of my reporting. I was in charge, and so had more direct interaction with him than I had had before.

Heininger: Do you think that made the difference?

Myers: Yes.

Heininger: Or was it Jerry not being here, so that there was a role that needed to be filled and you had the personality and the chemistry with him?

Myers: And I filled it, yes. The two are kind of inseparable because there was a role in which I would be dealing with him more frequently, and it just worked out.

Heininger: What do you do on a daily basis now?

Myers: *[laughs]* I never know how to answer that question, because I guess the fun part is there's not an average day.

Heininger: Well, it's just that your portfolio—you have a job title, but the function you fill is very different from what that job title is.

Myers: If there is an average day, it's one in which—Kennedy almost always calls me around 7:30 or 8:00 every morning, and it's looking ahead to the day. I tend to be driving in and he's just getting suited up for the day. We end up talking a couple of times, usually, before the office day begins. So before I'm even in here, we've already talked a couple of times. He would have read stuff in the newspaper and wants to do something about it, and he'd ask me to get that going. Or he's got a speech that he's going to be giving later that day. He had looked at it the night before, didn't think it was quite up to snuff, and would I fix it? His questions for a hearing for [Donald] Rumsfeld aren't quite what he wants. He wants me to fine-tune, sharpen those.

Heininger: Which, I would say, has nothing to do with this committee.

Myers: Yes. This committee too. Something that he has great interest in.

Heininger: That's why I say it's much broader than what your job title is.

Myers: Yes. If a statement for the health hearing that's coming up that morning here in this committee isn't what he quite wanted, he wants that fixed. "It just needs more zip," he often says. Just work on it. So that starts the day, but then as the day goes on, he may have a markup that morning, so I'm staffing him for that markup, making sure he has everything he needs. If there are quick decisions that need to be made during the markup, I'm there to provide advice about what he should do. "Hold back on that amendment now; let's go with this other one," that kind of thing.

For hearings, or if we've got something on the floor, we're all down on the floor. I'm the one who oversees the floor operation for Kennedy, almost regardless of what bill is up, whether it's from this committee or the Judiciary Committee. I make sure the legislative staff and the press all come together for when he's got a bill or a big thing going on the floor.

Heininger: So you sit in the chair next to him?

Myers: No. I rarely sit in the chair next to him. I'm kind of in the background with all the pieces. I always want to make sure that a substance person is in the chair next to him, because he'll have a thousand questions about how does this work, how does that work, just about the substance. I've learned. My floor MO [modus operandi] is always to have a substance person with him at all times because he'll have those questions and that person needs to be there right then.

I'm back here making sure we're anticipating what's coming up, that we've got a strategy, that we're coordinating with Harry Reid, that our press shop knows what's going on, and I figure out what press Kennedy's doing during the course of the debate, staying in touch with the groups. "We've got a bad amendment we think may come up this afternoon. We need you to really weigh in over the next three hours." That kind of thing. I tend to stay back in the cloakroom on the bench when we're on the floor.

Heininger: Do you ever get to go home?

Myers: *[laughs]* I started getting tired about four years ago, and I was gaining weight and all that. So I just made the decision that I'd try to limit my hours. I really do try to keep it to an 11- or 12-hour day when we're in session, and try to leave by 8:00 or 8:30 at night. There's always something going on that could keep me here until 1:00 A.M. every night. I've just gotten pretty brutal about it in more recent years and let the other staff stay at 1:00, because for them, it will be over in a week. In a week, I'll be on to the next thing. So for me, it's just that there's always something hot that could keep me here until 1:00 if I let it.

It was wearing me down, and if I was going to stick around, I needed to impose some discipline on myself in order to do that. Kennedy respects that. I guess I'm confident enough in my relationship with him that I can go home. Cell phones help a lot too, because I can go home and we can still reach each other by phone. There's a blackberry if the staff needs to reach me or whatever. I've gotten far more disciplined about that in recent years.

Heininger: So your role has really evolved, then.

Myers: Yes.

Heininger: When you say alter ego, I now understand what you mean. This is an unusual role. Have there been predecessors who have had a role like this with Kennedy?

Myers: Carey Parker—for years and years and years Carey's done that with Kennedy. Nick Littlefield, when he was here. I took over that role when Nick Littlefield left, a decade ago. I remember soon after, Kennedy asked me to be his staff director on this committee. I've been on

this job nine years now and moved from the Judiciary Committee to here, and I didn't quite understand what Kennedy's hopes and expectations were for the job either.

I remember he had to go off the Hill for something at lunch, and as he was driving back to the Hill, he called me about what was happening on the floor. It was something out of the Judiciary Committee. I wasn't paying attention and he ripped my head off. "You're my legislative guy. You're my floor guy. You've got to stay in touch with that. I expect you to be on top of that stuff." I understood very clearly from that one-sided conversation that the sign on the door didn't mean very much. As you were saying, there was a different role that he had in mind, and I think Nick Littlefield set that model for him, so he was expecting that to continue with me here.

Heininger: How do you then deal with all the administrative stuff that goes along with this committee?

Myers: I cheat. [*laughs*]

Heininger: Is the word "delegate"?

Myers: Yes. There are certain things I keep for myself that I find help me stay in charge of what's going on in the committee, like the committee budget. I keep my hand on that, the budget for the staff, but I have adapted. I found that I could spend all of my time negotiating witnesses for hearings or negotiating agendas for markups. So over time I've come to let the deputy really run the committee, and she does most of the negotiating with the other staff on the committee. Not Kennedy's staff, but if we've got something coming up, all the Democrats—how do we get us all together? I basically just turned over the operation of the committee to her. She's very good. As a result, it frees me up to do more of the political stuff, the broader strategy, and really staffing Kennedy. She runs the committee and I staff Kennedy is a way to view it.

Heininger: You spend most of your day with him, regardless of what he's doing.

Myers: Yes. And there would be some days when we've got nothing going on legislatively, and he's dealing with fundraising calls and stuff like that.

Heininger: That's tiring.

Myers: But it's fun. That's the fun part to me.

Heininger: We still need to talk about this committee. Since you've been on this committee for ten years, what are the issues that you think have been most important that you've taken the most pride in, that he's taken the most pride in?

Myers: That's hard to say. For one thing, since I've been here we haven't really done one of those landmark bills because we've been playing defense for almost a decade. That gets tiring, and we're all hoping November will change that.

I guess, despite the controversy, I'm proud of what we did on No Child Left Behind. There were some tough strategy decisions—do we work with Bush, do we not—that had to be made very early on. I'm talking about when Bush was President-elect; we were having to make some judgments about how to work with Bush. I feel like our strategy on No Child Left Behind, for better or worse, was something I advocated. I was saying we needed to work with this President. If he says he's honest about wanting to do something good on education, let's start by taking him at his word and try to work it.

A lot of Democrats were not taking that view. They wanted to pound on Bush from day one. So, it was a controversial decision, strategy call, in order to do that. To this day, I feel like that bill was the right bill for the country. I feel like the crux of that bill is to make sure kids, particularly minority and low-income kids, are not just being pushed aside in our public schools. There were accountability provisions in there to make sure no child gets left behind, so the policy is one I'm proud of. I feel very strongly about that. Bush dropped the ball and didn't fund the reforms, and as a result, it hasn't done as well as it should. But the policy was right, so I'm proud of that one.

I'm proud of what we just did on pensions. That was a very, very complicated project, and it was one of those things where it was not like there was one big thing that the bill did but there were 50 little things all cobbled together and you had to have all 50 of them in order to get the majority to get it through. I feel like as a result of the passage of that bill there are 100 million workers in America whose pensions and retirement savings are more secure today than they were a month ago.

Heininger: How much of that is Enzi and how much of that is Kennedy?

Myers: Very little Enzi. It was Kennedy and it was [John] Boehner who made this happen—Boehner in the House and Enzi—he was way over his head on this one and everybody's really upset. Enzi was the chairman of the conference and spun his wheels for three months and couldn't get it done. Bill Thomas was causing fits, as he usually does, of course. But that's just one of the factors of dealing with these conferences. If you're chairman you've got to figure out how to deal with Bill Thomas, and Enzi never did. In the end, Kennedy and Boehner worked it out secretly, behind the scenes, and it was me and Boehner's chief of staff, Kennedy directly with Boehner and Boehner's pension people with our pension people on all three levels, working on the compromises.

Then we'd figure out, how do we make sure Bill Thomas feels like the idea came from him, even though it's ours? How do we make sure [Charles E.] Grassley comes along on this one? We figured out what the compromises should be in the end, out of frustration with Enzi, and then orchestrated it from there. I was proud of that.

I was riding on an airplane just a couple of weeks ago, and there's the Continental Airlines flight attendant. I wanted to say to her, "We saved your pension," because there was a special provision in there for airlines. A lot of these airline pensions are in bad, bad shape. There's a sense of pride and accomplishment when you meet the real people. As I'm looking at her I'm thinking, *She's going to have a better retirement because of what we did.*

Heininger: Who's getting credit for it?

Myers: I don't know.

Heininger: In terms of the broader media perception, who's getting credit for that pension bill?

Myers: You tell me. We took credit for it up in Massachusetts, so Kennedy got ample play on it up there, but I don't know on that one if anybody identifies who the author was. Maybe Bush gets the credit. I don't know.

Heininger: Isn't one of Kennedy's strategies though to do deals like that and let others get credit as part of that process of massaging relationships?

Myers: Yes, but not to overshadow him necessarily. It's sharing the credit, but he wants to make sure that he gets—I remember when I first came on staff in '87 there was something that I was working on, a refugee issue. I think it was Soviet Jewry. I worked hard on it. It was one of my first projects. I wanted to get it right and it worked out really well. We got the State Department to do what we had wanted them to do, and the Jewish groups in the United States were elated at what Kennedy did on this one.

I remember writing carefully the bag memo to report to him that we had this success, and I listed the Jewish organizations that were particularly grateful for what he'd done. I proudly put that one in the bag and the memo came back, giant letters written all over it, "WHAT ABOUT BOSTON?"

What I had listed was all national groups and none of the Boston Jewish community listed on there at all. It just brought home to me that you think of him as this national politician, national figure, but he's first and foremost the Senior Senator from Massachusetts. He wants to get credit back home whenever he does something. He'll share it, maybe in the national stage, but he always wants us to make sure that back home the *Boston Globe* says it's a Kennedy bill and all the relevant interests back in Massachusetts know that he pulled it off.

Heininger: Didn't [Frank] Lautenberg take a lot of credit for that bill too?

Myers: The Soviet Jewry, yes. Lautenberg was a big leader on that.

Heininger: So he wants to make sure he gets credit in the Boston papers. When he works on things that have to do with Massachusetts, how does he relate to the different Massachusetts Senators that he has worked with?

Myers: John Kerry?

Heininger: Well, he's one. [Edward] Brooke.

Myers: I don't know about Brooke.

Knott: [Paul] Tsongas, that's before your time.

Myers: That's before my time. I've just heard stories, and I think that there's always competition within the delegations. I don't think any state is immune to that, whether it's Byrd or [Jay] Rockefeller. I'm close to both of those offices and I know what happens between them. Certainly the Kennedy-Kerry relationship is not immune to that competition.

Heininger: Is it at all a close one?

Myers: It's not super close on a personal level. It's not as if they're close personal friends. It's close in the sense that they do collaborate. When there's a grant announcement to make, they'll do a joint press release, stuff like that. So we work closely on that score. Recently, when Kerry was thinking of doing a health bill with some Republicans, he sought out Kennedy to ask if that's the right thing to do. We said no and he didn't do it. There is that collaboration. When there's a tough vote, a controversial vote, they'll often talk, even if they end up voting differently, just so they don't catch each other by surprise on the vote. Their offices are right next to each other. They're in Russell. They're on the same floor now.

Heininger: What about New England issues, when there are issues specific to New England? Who does he tend to work with and like to work with on New England issues?

Myers: First off, we work a lot with the whole Massachusetts delegation, the House Members too. Grant announcements, things like that, we tend to do those with the House Members as well, but New England generally. Jack Reed we work very closely with on a lot of issues generally on the Armed Services Committee. Reed is emerging as a real star on the Armed Services, by the way, and he's very thoughtful. So Armed Services, New England stuff. New Hampshire—it's hard to work with those guys. [REDACTED]

Heininger: Warren Rudman did.

Myers: Rudman did, but Judd Gregg is—ideologically, if he's opposed to something, and he's ideologically opposed to a lot—even if it's in the best interest of his state, he won't do it. You can get more done with [John] Sununu. He's more of a policy wonk than Gregg. Then Kennedy just loves the Maine Senators. He loves Susan Collins. He loves Olympia Snowe. We end up doing a lot of things with them related to stuff like New England fisheries and some environmental issues. I guess it's a hit or miss then, in working with the—

Heininger: No, not really. What about with Pat [Patrick] Leahy?

Myers: Not a lot, as I'm thinking about it. We defer to Leahy on agriculture. If there's a dairy issue in New England, then we'll defer to Leahy because we know he'll have the right position for New England. Agriculture issues are not ones we spend a lot of time on in our office. There are things like that that are regional issues that we look to Leahy, but I don't think there's a whole lot that we end up needing to do with him relating to New England.

Heininger: I'm not aware of a lengthy relationship either. What about with [John] Lincoln Chafee?

Myers: It's pretty good. For one thing, Kennedy was close to his father, and so there's still that kind of familial connection that he has with Chafee, but Chafee's a real loner. If there's something that's really New England, like LIHEAP [Low Income Home Energy Assistance Program] funding, then instantly everyone in the New England delegations, except maybe Judd Gregg and Sununu, signs on to the letter. Olympia Snowe is all over it. Chafee and Reed are the first ones to sign up. So LIHEAP, bang, we're all there.

Heininger: I thought in recent years that LIHEAP now should be national, not just New England, since we're all concerned about our heating bills.

Myers: There are some issues like that where bang, they're all on board. Fisheries issues, the Massachusetts and the Maine Senators are on it just like that, right away.

Heininger: But more so than the Rhode Island Senators?

Myers: Yes.

Knott: You mentioned earlier a decline of collegiality, I think you put it, and how there are 100 experts in the Senate now and the days of Senators deferring to Simpson and Kennedy are gone. Have you ever heard the Senator himself talk about this?

Myers: Yes.

Knott: Does he yearn for the good old days?

Myers: Yes, he does. Kennedy is a hard-charging, overall optimistic guy who believes that there's a possibility for everything. What keeps me going is that he never gives up. I think one of the products of my getting closer to him personally over the years is that he will let his guard down with me from time to time, and I can see his frustration. He'll voice his frustration over the changes in the Senate. "Can you believe what these bastards are doing now? Can you believe what timid people we have in our own party who won't stand up and fight for anything?" He'll say those kinds of things to me that I don't think he says to that many people because he maintains that façade of being the warrior for the liberal cause and always the optimist: We can get things done, we can get things done. I think that at his core is what he is, too, but he does have these frustrations and real concerns.

I think from time to time he's even thought, *Is it worth being here? Should I be trying to do something else in order to make real progress on issues?* I don't think he would voice that to more than a very small handful of people. So yes, he does feel that. He also misses the day in which there was a group of very competent, progressive Senators who went to the floor together and battled the battles together, and they were a team. I think he misses having those old friends.

So often these days he's out there battling alone. When I talk to the groups, the civil rights community, the labor community, they remark about that, that Kennedy is one of the last ones we can rely on. So there's a real sense of loneliness that comes from that, missing the days when he'd go to the floor and he'd have Birch Bayh, Gaylord Nelson, [Howard] Metzenbaum. [Paul] Wellstone was like that too. He wasn't afraid of anything. He'd step in there and just fight it. Kennedy misses those days.

Plus there was this period—we may view it with rose-tinted glasses—this period of the '60s, in which major progressive legislation went through that Kennedy was in the thick of—all the civil rights legislation, creating Medicare and Medicaid. All those things happened in the '60s, and he just wishes that we could have those kinds of accomplishments again today. It's frustrating to have to trim your sails and not go for universal health care, and to realize there's no way in this Congress that we're likely to pass it.

Heininger: In the period that you were gone, was that when the Clinton plan came up?

Myers: Yes. I missed all that.

Heininger: Poor you. It was not pleasant. What do you think he still really would like to accomplish?

Myers: Universal health care. I think what he was most helpful about and excited about with John Kerry's candidacy was he saw that as the ticket to universal health care, or at least a major leap forward on health coverage. That was the big chip that he was going to put on the table with John Kerry, and I think Kerry knew it. I think more than anything else, that's what he would like to accomplish before he retires.

Heininger: Does he foresee any potential candidates for President our next go-around where that might be possible if a Democrat would win?

Myers: I don't know. He and I haven't talked about this, but I'm sure he has in his mind, if we can get a Democrat in there in '08, maybe we'd get another shot at it.

Heininger: Do you think that if Hillary Clinton were elected, that that would be something he could work with her on?

Myers: I would hope so. She seems to be moving back towards saying the time is coming again that we should be trying to do that.

Heininger: From where you sit on the committee, do you think the time is coming?

Myers: Yes, I do, because I think now big business is beginning to feel like it's hurting competitiveness. Look at the big three automakers, the huge health cost that they're incurring in having to compete with Toyota when Toyota doesn't have to provide health coverage for its employees, in Japan at least, because the government does that. We're beginning to hear from some of those companies about health care costs and those issues more and more. I can see that

there's a possible coalition that could come together to do something. We had a dry run, a productive run in Massachusetts in the last year in which we got near universal coverage passed, working with the Republican Governor, Mitt Romney. We spent a lot of time on that.

When Romney first came out announcing that that was his goal, I think every Democratic strategist in Massachusetts was ready to bash Romney for false promises and all that stuff, but I remember saying to Kennedy, "I think this may be one of those moments"—it was just an instinct—"Why don't we say some positive things about what Romney's goals are?" And right away we did say positive things.

Kennedy made the state legislature back away from the knee-jerk reaction of just kicking Romney for anything he said, and as a result, it had an effect all over the state of making people realize that this is serious. This isn't just a political game, this is serious, because Kennedy almost never gets involved in the state legislature, just state political matters. He tries to stay out of those as much as he can and focus on national legislation that has an effect on the state. So he got involved in lobbying the legislature.

We worked very closely with Mitt Romney through it. Kennedy actually appeared before the legislature, something he'd never done in his entire time in the United States Senate, and addressed the State House and the State Senate on the issue. As a result, we felt like this was not only good for Massachusetts. We were proud that we could do it for Massachusetts, but it was a showcase for the nation that this is possible.

Heininger: Hasn't Hawaii done something similar?

Myers: Mm hmm.

Heininger: So now we've got two states. And isn't Oregon talking about—?

Myers: Oregon. Vermont's doing something kind of close. Even [Arnold] Schwarzenegger talked to Kennedy not long ago, only he said, "It can't be universal. We don't want universal."

Heininger: Just give him a euphemism.

Myers: Yes, that's right.

Heininger: Widespread, very extensive, almost completely covered. But is that something, from a federal standpoint, that would be possible to build into a health care strategy?

Myers: I think so.

Heininger: Is that something the committee might be considering in the future?

Myers: Yes. Well, I don't know under Enzi whether we will, but I already have it in mind that that's what we're going to be pushing next year, and hopefully that's what we'll do.

Heininger: OK. We won't tell anybody.

Myers: I've talked to Kennedy about it a little bit, saying I think we need to adjust our strategy and push the Massachusetts plan.

Heininger: How have you seen his standing in the Senate change while you've been there? Have you seen changes in how other Senators have viewed him?

Myers: I think the change is that there's a new crop of Senators. He's been here long enough that he's worked with maybe three or four generations of Senators almost. He and Byrd are the ones who go back to the beginning of this—

Heininger: —era, in a way.

Myers: Yes, era. So the ones who see him now are people who've been here for just the last 15 years or so, and I think they tend to see him as kind of a historical figure, which can be both good and bad. Historical in the sense that wow, here's the guy who's accomplished so much. But it can also have the downside of being well, he's history and I'm the future. So there is a bit of that, that maybe Kennedy's had his day. I sometimes get that sense from time to time that they feel like he's an old-school politician and we're now into the new politics. I feel like he still manages to get more done than just about anybody else, even if he may be old-school.

In this era of acute partisanship, I think the compromises that he's made in order to get things done sometimes have affected his colleagues' view of him. I hear from others in the Senate, for example, that they feel like No Child Left Behind didn't turn out so well, that was a Kennedy project. He promoted the prescription drug bill in the Senate and maybe we could have stopped it altogether if Kennedy hadn't done that, and it had turned out bad. I don't agree with them, but there's a feeling, I think, on the part of some that he's too ready to compromise on some of those things.

Heininger: Is this more on the part of people who are newer to the Senate?

Myers: [REDACTED]

There's an admiration for Kennedy the institution, but some people feel like he's too anxious to fill out his legacy, and as a result, he's too ready to compromise. I don't share that view because I'm strongly of the view that politics is a means and not an end. It's a means to getting things done. Some people view it as just the game; they want to play the game itself. It's all about the next election instead of the legislative accomplishments.

Heininger: It will be interesting to see whether there is a learning curve here and whether these are people whose views will change as they become more experienced in the Senate.

Myers: I haven't thought about that, but you're right.

Heininger: Some of those people who came over from the House in the late '80s have changed their views. They came over with one mindset and I think have adapted to the Senate in some ways. Does he go out of his way to really try to get to know new members of the Senate when they come on?

Myers: Yes, yes. He's very deliberate about that. I remember when Linc Chafee first was elected, and I think it was the first day he was on the Senate floor, he was sitting in his chair. While everybody else was yucking it up in the well, Linc Chafee is up there sitting by himself in his chair and no one was talking to him, and Kennedy walked over and sat down beside him. They must have sat there and chatted for 20 minutes about nothing in particular. I think that made an enormous difference in their ongoing relationship, because he made the effort to get acquainted. I've seen that with other freshmen too, that he'll make a point of getting to know them.

Heininger: How do you explain—The *Washingtonian Magazine* came out this weekend. You need to take a look at it, particularly since today is Monday, because you might hear about it otherwise. It came out this weekend and there were the best and worst of Congress, and he's right at the top of the list for most effective. He's also at the top of the list for bad behavior.

Myers: Really? Oh boy.

Heininger: I'm surprised you haven't been called yet.

Myers: I'm surprised too. Maybe they're holding the calls.

Heininger: I raise it simply because to what extent can he live down the bad boy behavior legacy that existed there for a time? I was very surprised to see it, this late, I mean, 2006.

Myers: I would too, you know, particularly in *Washingtonian Magazine*. I haven't seen that yet.

Heininger: This was surveys of other Capitol Hill offices, Capitol Hill staffers.

Myers: [REDACTED] In the time that I've been here, that hasn't been the behavior. I know it as part of his past, but it hasn't been part of his present and certainly hasn't been part of his life since he married Vicki [Victoria Reggie Kennedy]. I think in Massachusetts they know that. I think people give his marriage a lot of credit for the way he leads his life now. People up there seem to know it and recognize it, so I am surprised that they would dredge up something that old.

Heininger: And number one on the list, too. I can't remember who the other two were. What they surveyed were staffers. Do you have a sense that that legacy lingers for other Senators?

Myers: I really don't. People seem to like him. I've often thought that maybe freshmen coming in have this image of Kennedy—they don't know him yet—that includes the stuff of the past. But it seems like when they get to know him, they seem to want to work with him. You look at almost every Republican. There's a Republican-Kennedy amendment. There's a Republican-Kennedy bill. They almost all want to have at least one bill with Kennedy in their quiver somewhere, even people from fairly conservative states.

Heininger: What do you think his legacy will be?

Myers: First of all I think he'll go down in history as one of the great legislators of all time. Just counting the bills, you get there. In terms of the country overall, and something he's ingrained in me, it's opening doors of opportunity. I don't know how well that will be defined by historians. It may be defined by individual bills rather than that overarching theme, but for me that's the theme of his career—opening doors of opportunity. And it goes back to the Immigration Act of 1965. It goes to all the civil rights bills he's authored or helped shepherd through, on disability, housing, voting, and all kinds of things. It's what I think drives him when it comes to things like the minimum wage or education, viewing that as a way of opening the doors of opportunity even wider. That, to me, is Kennedy's theme. I was going to say epitaph, but I don't want to use that. *[laughs]*

Heininger: With somebody who has been in the Senate for as long as he has, there's a lot to review and a lot to overview. If you asked him, what do you think would be the one piece of legislation he is most proud of?

Myers: I don't know that he could answer that.

Heininger: I don't know that he could either.

Myers: I don't know.

Heininger: There's a lot to choose from.

Knott: He has said recently—I don't know how he put it, but his most important vote was the vote against the Iraq war.

Myers: He's been saying that a lot the last two or three years. That was all him. I mean, he started saying that just in speeches and on the stump or whatever and we had never discussed his saying that. It was interesting. On our staff, when we first heard him say it, we thought, *Whoa. You mean that's more important than voting for the Civil Rights Act of 1964?* We started going through all these bills and important votes that he cast. There are some people on our staff who didn't quite agree with his saying that that was the most important vote.

Heininger: That's interesting.

Myers: We've spent a lot of time agonizing over what Bush has done to the country in going to Iraq. I think the reason he says that is not just that it's a bad war, but it's the whole morality of it.

He views it as an immoral decision and one that really denigrates the country's values and affects so many other issues, from our relationships abroad, our reputation as a country in promoting our Democratic values abroad, as well as the distraction from things here at home, where Bush has used the war as a campaign platform while things are going downhill here at home. It's all of that coming together in that decision to go to war. That's why he views that as the most important vote he's cast. It isn't just about soldiers in Iraq, it's about what it's done to America overall.

Heininger: Do you think he's more effective when the Democrats are in the majority or when they're in the minority?

Myers: I think he's effective both ways.

Heininger: His role was different, though.

Myers: It is different. He may be the most effective Democrat in the minority, but he's also very effective in the majority. You can still get more done when you're in the majority than in the minority.

Heininger: It's a lot harder though. It's a lot harder to say no and to stop bad things than it is to gain the consensus to enact good things, having gone from one side to another. Of course it's very hard to make trains run on time, very hard.

Myers: And you've got to pick and choose. I mean, you can't do everything, and invariably, you'll get bashed for the things you didn't do, and that's what the minority party does. Why aren't you taking care of X, when there's no way—

Heininger: Does he have a sense of timing about when things can be accomplished and what it will take to get them accomplished?

Myers: Yes, very much, very good instincts on that, and about the politics too, feeling like this is the time when we need to do X, because there are always a dozen different things you can choose from to pull off the shelf and run with it. Also, in terms of the time we're in the country, he's got, I think, a pretty good instinct for that and other things. I've been interested in watching how he views this whole Ned Lamont-[Joseph] Lieberman situation, in which there are a number of us, including me, on our staff early on who said, "Oh, you've got to back Lieberman because he's going to win no matter what."

All the polls were saying even if Lieberman ran as an Independent, he would win, and you're going to end up having to work with him in the Senate, so you should go ahead and back him. His instinct was, "No, no, no, I think there's something going on here." This was early. "There's something going on here, and I'm not going to take that leap."

Heininger: Has he stayed silent on it?

Myers: Yes. We're backing Ned Lamont now that he's got the nomination of course, but he had that one figured out very early.

Heininger: Maybe the country is ready for change. Well, you've had enormous insight. This has been very useful. We may need at some point to come back to you about Labor Committee issues, particularly when we get to dealing with health care and things like that.

Knott: You can count on that.

Heininger: I'm trying to think that we're giving him a little wiggle room here.

Knott: Thanks a lot.

Heininger: What a great interview.

Myers: It was fun to think about those things. I'm trying to think whether some of these pictures relate to some of that. This was the Immigration Act of 1990. I got that, obviously, but I also got this. This is President Bush.

Heininger: Look how young he looks. His hair is darker.

Myers: There's my friend Simpson there.

Heininger: We had a great interview with him. We laughed for three hours straight.

Myers: I bet. That's Bruce Morrison. He was the House Immigration Subcommittee Chairman at the time. What was interesting about this is that Bush used only one signing pen, unlike Clinton and Bush II. They would use 20 when they were signing something. And then [Richard] Thornburgh, who was Attorney General, was reaching over to shake the President's hand. You see this? That's for a handshake, but Bush thought he was reaching for the pen. So Bush gave him that pen, even though Kennedy felt like it was his bill. So in the car coming back to the Senate afterwards, Kennedy just grouched the whole way. "Did you see that? Thornburgh got my pen. Can you believe it?"

Knott: You can see it already.

Myers: Yes, that's right. They're in the Roosevelt Room in the White House. This is a John F. Kennedy pen, so that's the inside story of this picture. He may not have gotten this pen, but there's a John F. Kennedy pen.

Then over here, this was the race of his life, when Mitt Romney was actually ahead in the polls in July-August, and then Kennedy ended up beating him pretty handily in the end. All the Kennedy people, anyone who'd ever worked for Kennedy just dropped everything and put their all into this race. Near the end of the race, he took this ad out in the *Boston Globe* and a bunch of other papers. I just love that ad. He wrote that on it.

Then in 2000 when he ran again and had almost no opponent for a seventh term, he won overwhelmingly. There wasn't even a campaign for that race. We still had a lot of campaign

money left over, and I found myself in there advocating, let's spend just \$300,000 to get some newspaper ads like this one, because I wanted another one of these. I love this so much that I was advocating that we spend \$300,000 for newspaper ads, but nah, we decided not to, and all I got was that out of that race.

Knott: What did he write on that poster?

Myers: I can't even read it anymore. Let's see. I think it's something like, "You deserve this headline."

Heininger: Well, I get that many thanks part, "Many thanks, Ted."

Knott: That's great.

Heininger: This is great. It has been a terrific interview.

Myers: And then Simpson, I love Simpson. He's my favorite Republican still to this day, and that's Dick Day, who was Simpson's chief guy for a long time.

Knott: Is that worth reading and putting on the record, Jan?

Heininger: Yes, read it for the record.

Myers: It's a photo. It's got Simpson, Kennedy, Simpson's guy, Dick Day, and me. That's taken in the anteroom of the Judiciary Committee, because you can see the photos of the past Judiciary Chairmen. It says, "To Michael, such admiration and respect I have for you. You are a wonderful young man. Thanks for your friendship and kindness to me and to Dick over the years. God Bless you. Love from Ann, too. Al Simpson, U.S. Senator, Wyoming."

Knott: That's great.

Heininger: He had nice words to say about you.

Myers: Simpson? Did he really?

Knott: Yes, yes.

Heininger: Yes, he did.

Myers: He was partly responsible for my coming back. There was a Kennedy staffer handling immigration, and Simpson just couldn't stand her. Kennedy and Simpson needed to work together, so I think—I don't know whether at one point Kennedy mentioned me to Simpson or Simpson to Kennedy saying, "I want to get Michael to come back from the Pentagon to help out for a little while."

Heininger: He had some very nice things to say about Jerry too.

Myers: This desk was Jerry's.

Knott: Well thanks again.

Myers: Sure.

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