

THE NEW YORK TIMES

January 8, 2006

Democrats Criticize Appointment at Immigration Agency

By RACHEL L. SWARNS

WASHINGTON, Jan. 7 - Senate Democrats this week sharply criticized President Bush's decision to install Julie L. Myers, a White House official, as head of the nation's immigration enforcement agency despite concerns on the part of some about her qualifications for the job.

Ms. Myers, a 36-year-old lawyer, will be sworn in on Monday. She currently serves as the president's special assistant for personnel and previously worked as an assistant secretary at the Department of Commerce. She has never managed a large department or dealt extensively with immigration issues.

When Mr. Bush nominated Ms. Myers last year, Democratic and Republican senators raised concerns about her lack of experience, and her Senate confirmation appeared to be in doubt. Some critics said they feared that her political connections, rather than her qualifications, had driven the decision to select her to lead the bureau of Immigration and Customs Enforcement, which has 15,000 employees and a budget of about \$4 billion.

On Wednesday, Mr. Bush bypassed the Senate confirmation process and used his power of recess appointment to install Ms. Myers as director of the bureau, which is part of the Department of Homeland Security. The department's secretary, Michael Chertoff, praised Ms. Myers, saying that she possessed "the experience, judgment and determination" necessary for the job.

But some Senate Democrats said they were still concerned about her ability to manage the bureau. The agency has been beset by controversies, including accusations of mismanagement of its budget and questions about its effectiveness in enforcing immigration laws.

At the Department of Commerce, Ms. Myers supervised a unit of 170 employees.

Senator [Joseph I. Lieberman](#), Democrat of Connecticut, said on Friday that Ms. Myers "really was not qualified for the position." Mr. Lieberman said Congress had intended the position to be held by someone with at least five years' management experience.

"In my opinion, she lacks the management background," he said. "And one of her key responsibilities is to enforce immigration laws, and she has virtually no immigration experience."

Daniel K. Akaka, Democrat of Hawaii, echoed those concerns. "The head of I.C.E. should be an individual who has demonstrated extensive executive-level leadership and the ability to manage a budget through reorganizations and budget cycles," Mr. Akaka said. "Ms. Myers has not demonstrated this ability."

Erin Healy, a spokeswoman for the White House, countered that Ms. Myers had "extensive law enforcement experience," noting that she had also served as chief of staff for the criminal division in the Justice Department and as a federal prosecutor in New York.

"She's tried criminal cases and worked with customs agents on everything from drug smuggling to money laundering," Ms. Healy said. "So to say that Julie does not have the prerequisite experience to lead I.C.E., it simply ignores her extensive background working with law enforcement, immigration and customs.

"This position has been vacant for far too long," Ms. Healy continued. "It's essential that the agency has the leadership it needs."

Mr. Bush nominated Ms. Myers for the position in June, but the decision first stirred a furor in September after Hurricane Katrina, as the administration faced criticism about the performance of Michael D. Brown, then the director of the Federal Emergency Management Agency.

Mr. Brown, a Republican without prior experience in managing disasters, was brought to Washington by a friend, Joe M. Allbaugh, his predecessor at FEMA.

Ms. Myers, who has held a variety of federal jobs over the last four years, drew attention because of her ties to the White House and some senior officials. She is a niece of Gen. Richard B. Myers, who recently stepped down as chairman of the Joint Chiefs of Staff, and the wife of John Wood, Mr. Chertoff's chief of staff.

Criticism of her nomination was not limited to the comments of Democrats. In September, National Review, an influential conservative publication, urged Mr. Bush to withdraw Ms. Myers's nomination. In an editorial, the magazine compared her to Mr. Brown and called her "another unqualified nominee for a vital position in the Department of Homeland Security."

"The president's supporters can look forward to serving in his administration, but certain key jobs ought to be reserved for candidates whose personal connections don't outweigh their professional qualifications," the editorial said.

Russ Knocke, a spokesman for the Department of Homeland Security, said that Ms. Myers's critics were ignoring her experience in pursuing financial, narcotics and weapons crimes, experience that he said would be critical to an agency that is increasingly focused on breaking sophisticated smuggling rings.

Several Senate Republicans also voiced support for Ms. Myers on Friday, though not without raising some concerns about her qualifications and the appointment process.

Senator George V. Voinovich, Republican of Ohio, who had raised sharp questions about Ms. Myers's qualifications in September, said on Friday that she was "intelligent and highly driven" with "the potential to be an effective leader."

"Though I would have preferred that Ms. Myers had more management experience," Mr. Voinovich said that "as a former mayor and governor, I feel strongly that managers should have the flexibility to hire their own team, and then be held accountable for the results."

Senator Susan Collins, Republican of Maine, has also praised Ms. Myers, saying that she "would bring experience and the confidence of Secretary Chertoff to this mission." But on Friday, Ms. Collins expressed concern about Mr. Bush's decision to bypass the Senate confirmation process.

"It was disappointing to her that the White House circumvented the normal nomination process," said Jen Burita, a spokeswoman for Ms. Collins.