CHIEF OF STAFF

Interview #2

Wednesday Afternoon, August 17, 2011

RITCHIE: I thought maybe we could start when you moved from Delaware State Director to DC as Biden's Chief of Staff which was then called Administrative Assistant. What was the Senate like when you first got there?

KAUFMAN: I was already coming to DC a lot. There was a big change in '74. We were just beginning to go through this expansion of staffs. I remember there was a lot of discussion about the need more staff. There was one factoid that some 15,000 people prepared the defense budget and sent it over to 15 people on the Senate Armed Services Committee. The Senate really needed more people in order to compete, if in fact we were going to compete, with the Imperial Presidency. Because remember we were coming off of '72 , with Nixon and the Imperial Presidency and it had picked up steam in '74. In fact, we did increase staff regularly until the Republicans won in 1980 and we have remained level in numbers ever since.

So staff was growing and it was very crowded. The Hart Building wasn't open then. I remember Joe Biden's office when he first got there [laughs], it was on the sixth floor of Dirksen and the furthest corner from the Capitol. We used to say, "We think we're in Maryland." The elevators were just awful in Dirksen, and they're still not that great. There was his office, there was another room, then there was a third room, a long narrow room with a desk that ran along the long wall. It had five staff people in it, and if the staff person farthest from the door wanted to go out, everybody had to get up to step aside and let them out. It was really quite extraordinary. That was his hold-over time while they were figuring out where his office was going to be. Then he got his office and the space was a little better. But space was a real problem. That was another advantage of moving all that stuff to Delaware, because you opened up space in DC or staff.

There were still a lot of senators who were not campaign-oriented. I remember, this was a little bit later, but I was at a meeting one time with senators and staff and some group, and [Charles] Mac Mathias had just been reelected, so we can figure out what year that was. The meeting had just begun and he said, "I'm Mac Mathias and I'm looking forward to the next two years. The two years after an election of a senator is the closest thing we have in America to a statesman. The next two years I don't have to worry about the politics of anything I'm going to do." I think there was a lot of truth in that. The first two years senators didn't worry about election. We did, and a lot of the new guys started worrying about election because when you first got there, the first two years were when you made an impression. So we did a lot of things and spent a lot of time worrying about communicating with people back home and those kinds of things.

At that time, I think we were allowed two squawk boxes. We had two little boxes, one was in the senator's office and one was in a staff person's office, where you could hear what was going on to the senate floor. There were still a number of the old southern senators who had been there for years. Back then, the South had the strategy of electing somebody and keeping them in office. That all fell apart over time, but you had James O. Eastland of Mississippi as chairman of the Judiciary Committee. Senator Biden, who didn't agree with Eastland much, worked with Eastland. Senator [Herman] Talmadge of Georgia was Chair of the Agriculture Committee. Senator [John] Sparkman of Alabama was head of the Banking Committee at that time. Senator [John] Stennis was Chair of Armed Services. A lot of the old segregationist senators were there. The interesting thing about them was their chiefs of staff, by and large, had been with them a long time, too. That's kind of what I did. I stayed for 22 years and that's very unusual. There are still some people in the Senate now, Marty Morris who is Dick Lugar's AA has been with him for 20 or 30 years. That's the way the place used to work. Now staff stays for much shorter terms.

It was very much of a "junior senators should not be seen or heard." It was dramatic the way it's changed now. I can remember that Senator Biden did not get to chair a hearing until, oh Lord, he had been in for well over a year. Ed Muskie was head of the environmental subcommittee of Public Works, and allowed Joe to chair a hearing—oh, there was a big movement to deal with lead in gasoline, which was a big issue with DuPont. DuPont had the main person testifying, so Muskie let Joe chair it. But you were not seen or heard. Joe said he didn't get up in the caucus to speak. It was months before the freshmen went on the floor to speak. That's basically the way the place worked. It was kind of a bridge, I guess, from earlier times when it was even worse.

They didn't have the Tuesday-to-Thursday club, the Senate was in session most of the week. There's a story I've heard a hundred times, in different ways, but the way I heard it, they asked James O. Eastland when the country went downhill. He was asked: What's the thing that most changed the Senate and the country? And he said "air conditioning." He pointed out that there used to be, in the ceiling of the Senate Chamber, glass windows where the sun could shine through, and when the sun came up, especially in June, July, and August, it would turn the place into a hothouse and everybody would go home. The other side of it is that at that time, when you look at what they were dealing with, when you look at what President Kennedy had to deal with, in terms of the issues the federal government was involved in, just the foreign policy issues the federal government was involved in, there is a lot more now. But back then they used to go home. We were in after that. The senate was in most of the year and in most weekdays.

There were only two Senate office buildings then, so space when you were junior was a problem. There were very few hideaway offices for the senators [in the Capitol]. Only the most senior senators had a hideaway. But still there was a very strong tradition that junior senators should be seen but not heard, and you worked your way up through the ranks, kind of like in high school where when you're a freshman you listen to the seniors on top, and then when you get to be a senior, you're on top.

When people start talking about civility, there are a number of things that I think have created civility problems. (I'm not one who believes that civility problems are that big, but we can get into that later on, that's an issue in itself.) But in relation to what the transition was like that, as we moved on into the '80s and the term limit movement started, you had a situation where senators were elected believing in term limits, which essentially said that the senators were staying too long. When you came in 1972 it was, "Hey, these are the older guys. They're experienced. They know what's going on. And that's the way the system works anyway." And that's what you do, just like if you go to work for a law firm or a corporation, you start at the bottom and you listen to those who have more experience. What happened when term limits got started, you got a bunch of people in the Senate, and in the House even more so, who believed in term limits. They thought, "If you've been here more than 12 years, you're the problem. So I'm not going to listen to you, and I'm not going to be deferential to you." Some of the senior senators really said, "Wait a minute, this is the way I worked my way up." Now there were a lot of other reasons, too, but I think that was one of the reasons.

Civility really was excellent. People got together to have a drink. People actually stayed in town. A big difference was that families were in Washington. Back then, the Senate didn't cover a lot of expenses to go back to the state, so it would have been economically impossible for most senators to have done what senators do now. People say that one of the reasons for the civility was that families were here, and I think that's part of it, but in some ways some of the senators see more of each other now on the nights they're in town because their spouses aren't here, so they go out and do things together at night. Another thing that hurt the family thing was the same thing that made it easier for us to have a Delaware office, and that is communications. You can communicate back home. That's why so many of the senators' families are back in their home states. That was a big change.

The committees—you know, Woodrow Wilson said, "Congress in committees is Congress at work," and that was true. That was where most of the work went on. Now, it wasn't until '73 or '74 where they passed the government in the sunshine rules that opened up all the committee hearings. Of course, there were major unintended consequences of doing that. Senator Biden had been a big advocate of that and pushed for open committee hearings. We had the first open hearing and all the people were there. Boy, this is really great. Well, three or four weeks later you looked out there [in the hearing room] and all you saw were lobbyists. I think one of the things that increased the power of interest groups was that lobbyists could now get information they could send back home and people would say, "Oh, I'll pay for that." "Senator X at the committee hearing of Armed Services said we shouldn't have that airplane. Write Senator X today and tell him he shouldn't have said that in the subcommittee hearing." So there was a downside.

We also had changes in the campaign finance law, *Buckley v. Valeo* was handed down in '74. All of us were spending a lot of time learning about how the new rules worked. We were putting in real gift restrictions and all kinds of ethical changes. I agree with all of this, but the unintended consequence was that people had a lot more information about what senators do and don't do, and they can get more upset about it.

One of the things that was great about the Senate was that there are a lot of women in powerful staff positions and that really grew from '72 and that grew more during the '70s and '80s. We changed the term from administrative assistant to chief of staff. There were a lot more female chiefs of staff. The secretary of the Senate was a woman.

There were new committees. When Senator Biden came they started a new thing called the Budget Committee and he was put on the Budget Committee. They started the

Intelligence Committee, and he was put on the Intelligence Committee. He used to say, "I'm the token young person and tokenism is great if you're the token." Then you had a whole bunch of post-Watergate babies, the Class of '74. The Class of '72 to some extent but even more in '74.

RITCHIE: Senator Biden had some advantage in that Mike Mansfield took a liking to him when he arrived, and perhaps because of his wife's death went out of his way to help him adjust to the Senate, and one of them was to give him some fairly attractive committee assignments.

KAUFMAN: Back in those days there was a steering committee to make committee assignments. Now the leader really picks who goes on those committees, but back then the steering committee really functioned. You're absolutely right, Mike Mansfield liked Joe Biden and one of the things he did was put Biden on the steering committee. Well, it was unheard of to have a freshman on the steering committee. And once you're on the steering committee, you're sitting around the room and all the requests would come in. As soon as you got elected you sent your requests off to the steering committee for committees you wanted to serve on. He was on the steering committee and he got a blizzard of calls from new senators wanting his help. Then they sat down and actually decided on the committee membership. He was initially assigned to his first 2 committees; Labor and Banking. As soon as the steering committee made the next selections in 1974, he moved onto Foreign Relations and Judiciary, and that's what he wanted. And then, because he was on the steering committee, and because he was young, and because of Mansfield, put him on the two new committee, Budget and Intelligence.

In fact, there's a great story about the Intelligence Committee. Mansfield came to him and said, "Joe, we're starting an Intelligence Committee and I would like to put you on the Intelligence Committee." Joe Biden came back to the office, and Wes and I were there. He said, "Mansfield asked me to do this, what do you think?" Wes and I said, "Well, first you're on a lot of committees, and second your style has been candid, you say what's on your mind, you say what you think. The Intelligence Committee—all of a sudden the whole world is going to change." So he went back and talked to Mansfield, he thought the world of Mansfield, and he said, "Look, Mr. Leader, I just don't think that's my style. I'm already on these other committee and I just don't want to be on Intelligence." Mansfield shook his head, didn't say yes, but said "Okay" and just puffed on his pipe. The way Senator Biden tells the story, he was in the cloakroom off the floor and Sam Nunn came through the door and said, "Hey, Joe, congratulations!" Senator Biden said, "For what?" And Nunn said, "You're getting on the Intelligence Committee." He went out and on the floor and found Mansfield. Mansfield put his arm around him and led him off the floor and said, "Joe, we need some people on that committee who are smart and say what they think, behind closed doors, and will do the right thing. You'll be fine. I know you'll be fine. But I really think it's important that you be on that committee."

When people start getting nasty about Joe Biden's gaffes, I say, "You know, he was on the Intelligence Committee for 10 years and there was not a single time that anything he had ever said was open to question by anyone that he had ever done anything." So when anyone says, "He says those things, he doesn't know what he's saying, he's out of control," I say, "Well, we can talk about that, case by case, and see what went on, but in terms of Joe Biden not being in control of what he says, he was on the Intelligence Committee for 10 years."

It turned out to be great, because a number of senators have figured out since then that being on Intelligence and Foreign Relations is a great mix. I was fortunate enough to serve on Foreign Relations and Armed Services, which is a great mix. It gives you a great view. But in some ways Foreign Relations and Intelligence is an even better mix.

RITCHIE: They used to complain on Foreign Relations for years that there was so much about foreign policy they didn't know because of national security issues.

KAUFMAN: They say that, but one of the things I miss about being a senator—people say, "Do I miss it?" I say, "No, I don't miss it, I knew it was a two-year deal, I absolutely had a great experience in so many different ways, had a chance to try to make a difference, but it was two years and I have other things I want to do with my life." Because most people, when they say, "Do you miss it?" If I say no, they say, "Oh, yeah, because it was such a terrible place, aren't you glad to be out of there." I say, "No, the Senate is a wonderful place to work." But it's interesting, this is the first time I've thought about this, but the one thing I do miss is that when you've been dealing with these issues for as long as I have, it's almost like—I like to read for relaxation crime novels, and it's almost like a crime novel, where you have a bunch of facts and you're trying to figure out what happened, who actually did what to whom. If you're dealing with healthcare reform, there's a lot of that: What does the public option mean? What really happens here? In those situations, having access to the information you have as a United States senator is just extraordinary. It just makes the hunt for what the truth is and what's right a lot more interesting.

This is especially true in foreign relations. When you get into foreign relations, having the ability, if you read something in the newspapers that I was interested in—it wasn't like I was doing this as a lark, it was only on issues that I was really concerned about and it was something that was central to what we were doing, in Afghanistan or Iraq, Iran, and others. I would just ask my staff person to set up a CIA briefing, or a briefing, and you go over to [the Security Office in] the Capitol, into that room and close the door, and they tell you, "This is exactly what's going on." And before I would take a trip I would get a briefing before I left. Then when you were "in country" you could get a briefing, and I always asked for it, from the local CIA people. So I think any member of the Foreign Relations Committee who wants to keep up on intelligence in order to inform our foreign policy decisions can do it. The intelligence agencies are extremely forthcoming to requests that you make and they are, in my experience, some of the most qualified people I've ever worked with.

RITCHIE: Going back to Senator Biden's first committee assignments, you mentioned that he had been on the Labor Committee. We talked about this at lunch, but I wondered if you could tell me that story again about how he was invited to speak so frequently.

KAUFMAN: Sure. When he was elected, and after the accident, he was in tough shape for a number of years. But he was a great speaker and he was the token young person, so he was invited to speak at the big Democratic dinner in just about every state. They call it the Jefferson-Jackson Day dinner in the vast majority of states. So he traveled around speaking and he did very well. The chairman of the Labor Committee was Jennings Randolph of West Virginia, and he had been there forever. I believe he was in Congress when [Franklin] Roosevelt was president. He was a big guy from West Virginia, and very plain spoken. He asked Senator Biden to come and speak at some dinner in West Virginia. He said, "Joe, I hear you're a real good speaker. They've asked me to invite you, would you please come?" From a chairman back then, that was like a command performance. I don't know what else was on your schedule, but if it didn't have something to do with your wife or kids, you went. Plus, Joe liked Jennings a lot.

You were saying earlier about people being nice to him, they were *all* nice to him. Fritz Hollings was great to him, Hubert Humphrey was incredible, Ted Kennedy, all of them, and Jennings was one of those guys. So Joe said yes and Jennings told him what the weekend was. Wes Barthelmes and I were wondering because the staff couldn't tell us what the logistics were. They couldn't tell us whether to get airplane tickets or how he was going to get there. We said, "You ask Senator Randolph." Well, Senator Biden was junior and he was reluctant to ask Senator Randolph, but he did, and Randolph said, "Be on the corner right outside the Russell Building at three o'clock and bring whatever stuff you need." So he was down there standing on the corner, and I'll never forget it, with his garment bag over his shoulder, and at three o'clock up comes a car. Driving it is Jennings Randolph. "Hey, Joe, get in." Joe Biden gets in with Jennings Randolph and they drive to Charleston, West Virginia.

Another one was Senator Stennis. A typed letter came in from Senator Stennis, after about a year, a year and a half. I hope they still have that somewhere, it's priceless. There were a couple of typos in it. It was back before we had the machines that automatically correct the typos, so when you made a mistake you could either type it again or you kind of put a white substance called "snowpake" over it, and this had "snowpake". And this was a southern thing, this was the way it went on, this would not be unusual. Stennis essentially said, "I've been watching you on the floor. You've been a real credit to the Senate. I'm proud to be serving with you." It was an incredible letter to get from a very senior senator at that point. Wes showed it to me, and I said, "That's extraordinary. Who do you think wrote it?" Wes said, "Oh, Stennis wrote it. He not only wrote it, he typed it." [Laughs]

One of my favorite Senate stories is that in the vice presidential office in the Dirksen Building, right now there's a great big table. Before that for years the table was in Joe Biden's senate conference room in the Russell Building. The table had been a gift from the Philippines to Harry Truman for U.S. help in the war. I'm sure it was one of many things they sent Truman. Truman gave it to Richard Russell, who was chairman of the Armed Services Committee. If you read Lyndon Johnson's biography, *Master of the Senate*, in the center of the book there's a bunch of pictures, and in one of the pictures are a group of senators in the 1960s sitting around this table. It was called the Southern Caucus. Richard Russell would call it and all the southern senators would come. And that's where they plotted to stop the Civil Rights Act. A lot of the senators there were serving when Senator Biden came: Senator Talmadge, Senator Eastland, Senator Stennis, and that's where they plotted the filibusters against the Civil Rights Act. So when Russell left he gave it to Stennis. Stennis used it as the desk in his office—it's a gigantic table. When Stennis was leaving, he called Senator Biden and asked if he would come down to see him. He went down and Senator Stennis said, "I've had this table," and he explained the history of the table. He said, "I know when you came here, I know you were big for civil rights, and I can't think of anyone I'd rather have this table than you." He gave Senator Biden that table, which Senator Biden kept in his conference room. Stennis also said something—and I may be butchering the quote but essentially he said, "Civil rights freed us, too."

By the way, the other thing that was different about the Senate was—I remember there was a study done that said that something like 92 percent of all bills favorably reported out of committee were passed by the Senate. That goes back to the idea that it was in the committees where all the work was done. That's what happened. The way the Senate worked back then, they delegated. Just like if you're a good corporate manager, you delegate to two or three different people. What the Senate did, no one could understand all of the foreign relations, and the finance, and the labor, and all these different issues, no one person could understand it all. What they did was they delegated, they put people on committees and then listened to what the committees had to say. Now, there were some bills with problems that you could amend on the Senate floor, but essentially once a bill was passed out of committee, it was pretty much passed by the Senate. Of course, there's been a constant erosion of that as we got entrepreneurial senators—Joe Biden was one of them. Senators more and more said, "I'm not willing to take your word on that." Vietnam and the Foreign Relations Committee? "I'm not willing to listen to William Fulbright on what we should do in Vietnam." So that changed the whole dynamic of how the Senate functioned, where more and more of the decisions were made on the floor, and you saw a constant erosion of the committees over the years. The Clean Air Act bypassed committee and was essentially written by the leadership, so you had a loss of "regular order." Regular order became if not extinct, pretty close to extinct. Regular order was typified by the "how a bill becomes law" explanation of how legislation is passed, and in fact most of that has changed.

The other big difference back then was the amount of money involved in campaigns was very small. I think it was '78 or '80 before we had the first million dollar House race. After that, more and more time had to be spent raising money, and then it had to be raised earlier, and then since you were worried about campaigns, campaign strategy took more time out of your legislative schedule, as campaigns became more complex. And you had ongoing relationships with your pollster and your media person and everybody else. They would be coming in and give you advice on things for six years.

Since I mentioned pollsters, which have become a dirty word, I believe that one of the functions of a senator (how important it is a long discussion) is to represent your state, and determining how to represent your state requires information. [Benjamin] Disraeli said there are three kinds of lies: lies, damn lies, and statistics, and polling is kind of that third lie. But that being said, it is the best way there is to find out what people are thinking. It's better than anecdotes from individuals. You should talk to people, too, that's part of it too, your own little focus groups. But you also should do the surveys. What I always teach in my course is: polling is to a politician what a compass is to a captain at sea. That is, when you're at sea with a compass, it tells you where north is. That doesn't mean you sail north, but if you don't know where north is, If you want to sail east, you don't know where east is. And if a politician doesn't know where his electorate is, he doesn't know where to sail. I will tell you that from my experience, contrary to being negative impact, but knowing what your constituents think makes for a better government.

I'm absolutely convinced—as I said earlier, we were very close to Jimmy Carter—I'm absolutely convinced the quality of decision-making that came out of the Carter White House improved during the last two years of his presidency when he started to think about reelection. President Carter and his staff came into office very upset in 1976. Let me say a little bit about Carter. Joe Biden had gotten involved early with Carter's campaign and was head of his national steering committee. He was the first elected official outside of Georgia to endorse Carter. I remember when Mondale went down to meet with Carter to talk about being vice president, before he went, he met with Joe. They sat on the floor and talked for a long time, because Joe was the only senator other than the Georgia delegation who knew Carter. The amount of heat that Joe Biden took when he endorsed Carter was absolutely incredible. Lots of people called and said "What are you doing? This guy can't win.", What s Joe thinking about", "who is Joe listening to," We had a lot more friends supporting [Morris] Udall than supporting Carter. So we were very close to Carter and his people after he got elected. We knew all those guys because we worked with them in the campaign, Hamilton Jordan, Jody Powell, and the rest of them. They came into office really in a get-even mode with a lot of the constituencies in the Democratic Party that did not support them. The first two years, they were pretty insular and I think made a bunch of bad decisions. By the time they got to the second two years, they were listening more to what people had to say. People went to the White House who they should have listened to from the beginning, and they did a much better job. So I'm not saying that having a pollster work for you for six years is a bad idea. I think it's a damn good idea if you really care about representing your district.

RITCHIE: Carter and Biden used the same pollster, Patrick Cadell.

KAUFMAN: Exactly.

RITCHIE: What was it that attracted Biden to Carter so early on?

KAUFMAN: Oh, I think he thought that Carter was on to new ideas that Biden believed in—remember, a lot of the things I talked about, the reasons why I was supporting Biden to begin with, were things Carter supported. He was for fiscal stability. He was for the environment. On his presidency, hindsight is 20/20. Jimmy Carter had been an incredibly successful naval officer. The stuff he did on nuclear submarines, he was really well respected. Then he was governor of Georgia, and by all accounts a very good governor of Georgia, somebody who helped bring Georgia out of segregation. So he had a beautiful resume. The reason people weren't supporting him was because most of the liberals were looking for a more liberal candidate. They were looking for Humphrey to run, they were looking for Udall. I'm trying to think of the others who were running in '76.

RITCHIE: Jackson.

KAUFMAN: Scoop Jackson, that's right.

RITCHIE: Frank Church. Birch Bayh. Half the Senate was running.

KAUFMAN: That's right, and all the liberals. You had Birch Bayh, who was a fabulous senator. You had McGovern, who was running again in '76. Church was great. Jerry Brown got into it in the end. Outside of Scoop Jackson, there weren't a lot of non-liberal candidates. Joe Biden, I think you'd have to say, back then was a liberal on civil rights and civil liberties, although he wasn't liberal on the crime issue, although he did believe in all the protections. He was outside the Beltway. And Carter was talking about how we had to get the country out of its terrible times—what he eventually ended up giving in his "malaise" speech. We've got to come together and we've got to move forward. Everybody has to be involved. So he thought the message was a good one. Carter had a great background in the military. He understood the military side having been in the navy. He thought it was time for a change, and Jimmy Carter was the big change.

RITCHIE: Carter was an outsider and I wondered, when Biden came to the Senate, he was the youngest senator. Was he an institution man or was he a little skeptical of the institution? Some of the other senators had been there since before he was born.

KAUFMAN: No, no.

RITCHIE: Did he fit in right away?

KAUFMAN: Right at the beginning it was a nightmare. But the good thing was that a lot of people really cared about him and really went out of their way for him. But no, no, he didn't mind going over and sitting with James O. Eastland. He didn't mind being nice to senior senators. One of the reasons why I didn't think he would have a problem being vice president, even though he had really never worked for anyone else, was that he was very comfortable in a hierarchical organization. He felt very comfortable being nice to the chairmen. If Jennings Randolph is the chairman, I'm going to listen to Jennings Randolph. If James O. Eastland is the chairman, I'm going to listen to him. Now, I'm not going to do anything against my principles but in terms of paying deference, no he was very comfortable there. He was young and he had a lot of energy. He was intelligent. He had a mind like a sponge. He may have taken an economics course at Delaware, but when he got on the Banking Committee he very quickly picked up a lot of the economics.

It's always been popular to run against the Senate, that's okay. But to really believe in it is another thing. When I left his office I was teaching at Duke. Another professor, Chris Schroeder, and I started the Center for the Study of the Congress. At that time the approval ratings were just about what they are now, 12 or 13 percent. It was coming off the Gingrich attacks that led to the '94 take over, where they just drove down the approval of the Congress. Then people said, "Why do we have Democrats? We hate the Congress, let's replace them." So we started and the basic mantra we had was: It's perfectly okay to be skeptical about the Congress, you should be, that's what the founders wanted, to be skeptical. But it's not right to be cynical. I think that back then there was a healthy skepticism about the Congress, and about power—right then it was more about power and the executive branch because you had Nixon and the Imperial Presidency—but let's not be cynical. He was a Senate guy, and we all were. Wes Barthelmes was, I was, all of us were kind of like, Wow!

RITCHIE: I just wondered because in '76 there were all these senators running and he sided with a governor.

KAUFMAN: Yes, that's a good point. It was strange. He liked the senators. Birch Bayh especially, but he liked them all. He had gotten Wes Barthelmes from Frank Church, during the campaign he was our Senate liaison guy and then became Joe Biden's chief of staff. We had also gotten our press secretary, Cleve Corlett, from Church, so we were very close to Church.

RITCHIE: At least in siding with Carter he didn't have to pick among the senators, which one he was going to endorse.

KAUFMAN: Right. I don't want to turn this into just all stories, but there is a very entertaining story about when he was running for the Senate. At the very end of the race, when the numbers had closed, in 1972, there was a fellow who had been an intern in the campaign who went to work for the local newspaper. On the Thursday before the election day Tuesday he wrote an article that appeared on the front page of the paper saying that he had sat in a meeting where Joe Biden said the only reason he was supporting Israel was because it was going to help him politically, that he really didn't care about Israel. Clearly, this was a concern. The governor of Pennsylvania was Milton Shapp. One of the fellows who worked in the campaign, who ended up marrying Valerie, Jack Owens, was close to Shapp. He talked to Shapp, and Shapp agreed to come to Delaware to help this young U.S. Senate candidate. So on Sunday before election day, Milton Shapp agreed to come to Delaware and help this young US Senate candidate. We had a reception in the Hotel DuPont. We had all the leaders of the Jewish community there. Milton Shapp came in and put his arm around Joe and said, "I know Joe Biden, and that's just not true. Everything he says he believes." Now, remember, the Jewish vote was not a big vote in Delaware, but it was the momentum of the race, plus it was not what Joe believed in. So that all went fine, and the Jewish community disregarded the article.

Fast forward to 1975 and Milton Shapp calls Joe Biden and says, "Hey, Joe, I'd like to ask a favor. Will you come up and see me?" So he went up to see him, and he said, "Joe, I'm getting ready to run for president and I want you to endorse me." Joe Biden liked Shapp, plus Shapp had really been there for him when he needed it. He couldn't say no, so he said yes, he endorsed him. Go forward to the early part of '76 and Joe Biden is getting more and more interested in Carter and tells Carter that he was going to endorse him. I think it was right after the Wisconsin primary. It was about a month away. We sat down and he said, "I've got to call Milt and tell him." Because Milt Shapp was going nowhere. "I've got to call him and tell him I'm endorsing Carter. It's not going to be a fun phone call but I've got to call him." Wes and I said okay, but every time we talked to him about it, he didn't call. This falls into the category of it is better to be lucky than good. So finally there's a day, some short number of days before he's going to go to a press conference with Carter, and Wes and I tell him, "Today, you have to call Shapp." He said, "I tell you what, I've got a hearing and this lunch, so I'll call Shapp at two o'clock." At one o'clock across the tapes comes: Milton Shapp has dropped out the presidential race. [Laughs]

He just thought that Carter was the right person at the right time. I don't think any of us thought that he would end up being as poor a manager. A lot of it went to what happens to a president every time. First off, I think they were way too insular to start with. They weren't insular to us, they let us inside everything. The other thing was, and this happens a lot in campaigns, the more I see about the White House the more this becomes true, and that is as the campaign grows, the people who become involved are less and less committed to the candidate personally and more and more interested in the power that is going to accrue to them. You have presidents that are very anxious to hire people that they know are completely committed to them, for a lot of reasons, not the least of which are leaks and things like that. But they want someone who is committed to them. So they tend to stick with people who they have known before they became president. Carter did this to an extreme. The team that he brought in when he came into office, several of those people at very high levels, several of those people were just totally incompetent, and identified as totally incompetent early in his presidency but he stayed with them for four years. With everything else they talk about, my personal take on his management flaw was just *way* too much loyalty, and a lack of wanting to fire people.

Of course, I'm always reminded whenever I say that, they did an interview with Jim Baker, who was chief of staff in the White House under [Ronald] Reagan and then secretary of treasury under Reagan and secretary of state after Reagan's presidency. They said to him, "President Reagan always was hesitant to fire people." He stopped them and said, "President Reagan never fired anyone." Like, we had to fire them all. So I think it doesn't come naturally for presidents to fire people to start with, and then you add this kind of loyalty, and then you add how the Carter campaign was a very small—*very small*—corps of people, who worked together every day and who were responsible for that presidency. Look how long he stuck with that fellow who wound up getting in trouble, the banker.

RITCHIE: Oh, Bert Lance.

KAUFMAN: Yeah, right, that whole Bert Lance thing was a perfect example of sticking with somebody long after you should have pulled the plug. But there were a number of people way up in that administration who were totally way over their heads, and identified as way over their heads early in his presidency, but he stuck with them.

RITCHIE: In retrospect, Carter came in with solid majorities in both houses and Democrats who were ready to go, because they had been dealing with Nixon and Ford for eight years. They thought they were going to move together, and instead you got the White House versus the Congress.

KAUFMAN: Well, the other thing is, as long as we're talking about Carter, remember that he had run from being "outside the Beltway." Early on there was a rumor that he was going to pick Cy Vance for secretary of state, who he eventually did pick. Hamilton Jordan, his chief of staff, was quoted as saying, "We'll have failed if Cy Vance is our secretary of state." Then they picked Joe Califano to be secretary of HEW. Now, Joe Califano, if you went to the Smithsonian and asked for the perfect replica of an Inside the Beltway DC Liberal, you could not do any better than Joe Califano. If there had been a cardboard cutout of who Jimmy Carter was running against in 1976, it would have been Joe Califano. So he filled the administration up with people who did not agree with him on substance. I can remember the people who called me upset when Joe Biden endorsed Carter, it was mainly Udall people, and all of them ended up with jobs in the administration, and many of the lower-level Carter people did not. He hired people that weren't on the Carter message, and then allowed them to hire their people. The whole administration was full of people who were not on message. It was very difficult to run. That's why Reagan was so effective. One of the reasons Reagan was so effective was everybody in that administration was a Reaganaut. Everybody understood what the game plan was, and everybody signed on the game plan. That is how you get an administration to roll. And then Reagan had the House and Senate.

RITCHIE: He had the Senate, but not the House.

KAUFMAN: Not the House, right.

RITCHIE: But he manipulated the House. The Carter administration accomplished a lot, there was quite a lot of major legislation that came through, but it often seemed to be Carter versus Congress.

KAUFMAN: Well, but the other thing was Carter had a bad economy. If he had been reelected it might have been a different story, which is a really ominous thing for Obama. You just don't win if you have a bad economy. That's what happened to [George] H. W. Bush, too. You can talk about all of these other things, but—and then you had the primaries with [Ted] Kennedy. A lot these things, on where he was, was how much of it was based on his not being a good, competent president, the hostage crisis. Pat Cadell who was Carter's pollster believed, absolutely to the bottom of his being, that if the hostage issue had not been raised going into that last weekend, Carter would have won. It's hard to lose reelection if you're the incumbent president, but it is easy to lose if you have a poor economy. The two recent presidents who had poor economies at the time of their reelection, H W Bush and Carter both lost.

RITCHIE: Speaking of Kennedy, I think it was Carter in his memoirs who wrote that Joe Biden was the first person to tell him that Ted Kennedy was going to run against him.

KAUFMAN: Yeah, Joe went down and talked to him. It's funny how people don't understand how personal politics is at all levels. As I remember at the time, one of the big mistakes the Carter White House made was they started going after Kennedy. Like "bring it on." They had some senior member of the administration get quoted as saying , "We'll kick his ass."

RITCHIE: Carter said that, actually.

KAUFMAN: Yeah? Well, early on, before Carter said it, somebody else said it. One of the things that both Joe Biden and I felt was: Get off that! Ted Kennedy, and the people around Ted Kennedy are the most competitive people in the world. You're totally barking up the wrong tree by saying something like that. I'm sure that's not the only reason why Kennedy ran, but in 1980 I went to Iowa and worked for Carter. I always held Kennedy in the highest respect, but I did think that Carter could win the presidency and Kennedy could not. If Kennedy got the nomination, the Republicans would win the presidency. I never thought that if Carter won the nomination the Republicans could win.

RITCHIE: And his winning Iowa was very important for him.

KAUFMAN: Oh, yeah, it was a juggernaut in Iowa. They used everything a president can bring to bear. I was in Sioux Falls and the economic development people were all over Iowa. Of course, my favorite story on using the presidency to win reelection was when Ronald Reagan ran against Gerald Ford in 1976. Ford was president, and Reagan lost the Florida primary and the next primary was North Carolina. Right after the Florida primary, the next day, Reagan was up and held a press conference at I think the airport at Raleigh-Durham. He said, "By the way, if there is anybody here who's interested in anything from the federal government, be sure and be here tomorrow when Gerald Ford arrives because you're going to see Santa Claus coming down the steps."

RITCHIE: When you went to Iowa, what did you do for Carter?

KAUFMAN: I just did the straight old blocking and tackling. A group of us went. We all took vacation time, a number of us from Joe Biden's office. We went to Sioux Falls and worked the last two weeks of the primary, knocking on doors and talking to people, it was really mundane. Oh, my God, you should have seen the people who were out there! The quality of people they had knocking on doors! I had never been involved in a presidential reelection campaign—there haven't been very many for Democrats—but man, the full power and prestige of the presidency was evident. Plus, Carter's people knew campaigns, they were good at campaigns. They built loyalty in the Peanut Brigade and they had loads of volunteers in Iowa. The same thing in New Hampshire.

Of course, Kennedy had a pretty awesome machine back then, too. But the thing that really did Kennedy in was Chappaquiddick. When you got out into a lot of the Catholic areas—in Sioux Falls there were a lot of Catholics there—and they were not happy. A lot of people were not happy but they were especially not happy. But that Carter-Kennedy race went back and forth and back and forth. Every primary it seemed as though a different person won. There were so many negative things about Carter, negative things about Kennedy. I remember, they came down the eastern seaboard. Jerry Brown had entered the race, and [Frank] Church got into the race. I think Jerry Brown won every primary he entered. If Kennedy won a race, it was "Oh, my God, Chappaquiddick, we can't vote for him!" so the next primary they'd pick Carter. "Carter, oh my God, he's done a lousy job, we can't pick him!" Then they'd pick Kennedy. And then they moved over and started voting for Church and Brown, both came into the race late.

RITCHIE: And the election was right down to the wire in the end, so the voters hadn't made up their minds for most of that year.

KAUFMAN: Yes, and it was a bad economic time, too.

RITCHIE: Going back to Senator Biden, he was getting some good committee assignments, as you mentioned. You were in his Senate office. What's the relationship between a senator's staff and his committee staff?

KAUFMAN: Well, there's a lot different models on how to organize it. I remember that Kennedy's office had a reputation of being like a shark tank. They'd just throw the things in and play one against another. I've heard that Bobby Kennedy used to have three people write a speech and play one against the others. I had pretty much the "we're all on a team" approach, which was designed for a Joe Biden Senate office. It was true in most things: everybody works together, number one. Number two is you can't operate on a corporate model, where all information flows down and back through all the layers and the hierarchy. You had a hierarchy. One of the things I learned in business is everyone has to know who they report to. We had a thing we called the "one-fanny system," which is whenever something goes wrong, whose fanny is on the line, we used to use that as a joke. But essentially, everybody in office has to know what their job description is. This is straight business-school stuff that I actually believe whatever you're doing, running a hot dog stand, you don't need to be as formal about it but you've got to understand: What is your job? Who do you report to? I'll tell you, in the Senate that's tough because most of the offices are pretty horizontal as opposed to vertical, with people on an equal level. But you have to know who you report to.

Then the other thing was the information does not flow up to the senator through different layers. So it isn't like, if it's a school issue, the legislative assistant who handles schools doesn't tell the legislative director who tells the chief of staff, who tells the senator. Now, some things flowed like that, but with basic information you want the legislative assistant talking directly to the senator, because the stuff is so complex. You have to be very careful. It's like "whisper down the lane," one of these games where you have five people stand in a row and each one whispers to the other until you get to the end and it's very different from what was said at the beginning. Now, if there's information the senator wants the staff to know about something, most of these were mechanical, administrative things, you could go down the chain.

The way it worked was there were some senators who had their committee staff report to them separately, some have them report through the chief of staff. In our committees, they reported to me as chief of staff. But that was part of the way the organization chart looked. I very rarely pulled rank on the staff director of a committee. They didn't hire or fire anybody important without talking to me. We talked about planning for the committees. Senator Biden knew that he could come to me and tell me something. He could say, "Here's what I want to do. I want to change this or I want to do that." Or "I want to spend less time on the Foreign Relations Committee and more time on the Judiciary Committee." He didn't have to go through them and adjudicate that. I would say, "Look, that's what we're going to do." If there was a Supreme Court nominee, Foreign Relations Committee had to back off. He didn't have to go around and do that. That's the way it worked. It really was one big operation.

Some senators keep the staff on committee totally separate. That has the potential to complicate things for the senators, if they have to be worried about conflicts. If the Foreign Relations Committee says they're going to have a meeting next Tuesday: Well, am I supposed to be in Delaware next Tuesday? Am I supposed to be at the Judiciary

Committee, or the Budget Committee? Or am I supposed to be meeting with the leadership? With the schedule, our approach was: You've got to have one central scheduler. My basic rule was that the only person that can change the senator's schedule is the scheduler. We all work for the scheduler when it comes to scheduling. I had a whole bunch of rules like that. Like I said, it's a very uncorporate-like organization. Outside of a university it's the most uncorporate. At the same time, it's amazing how the few basic principles that apply to corporate management apply to the Senate just as well. Now, to the Senate itself, that's a different story, because no senator works for anybody else. The Senate is unique in all the world.

RITCHIE: When you described the Senate as being organized horizontally, I talked to a press secretary once who said the trouble with being a press secretary was that everybody on the senator's staff thought they were the press secretary.

KAUFMAN: You know what the rule was on our staff? It worked very well. When it comes to the press, we all work for the press secretary. Anybody can talk to the press, but before they talk to the press they have two requirements. One is, they have to call the press secretary, because many times what happens is a reporter will work the staff. They will have a story and will try it on different people. If someone on the staff is called by the press, talk to the press secretary and find out if there is something going on with that reporter, and then after you finish talking to that reporter, report back to the press secretary. It's just like the one-fanny system. The press secretary is totally the czar of the press operation. He works for me. I give him a raise or tell him or her when he or she can have a vacation. But when it comes to the press, I never talk to the press without calling the press secretary first, and then when it's done I brief the secretary on what happened. The same thing when it came to scheduling. Nobody did any scheduling, even the senator. The only person who could schedule was the scheduler. On the committees, if there's something going on at the Foreign Relations Committee, nobody did anything on the Foreign Relations Committee without checking with the scheduler.

RITCHIE: Did you have relatively stability in your office or was yours with a lot of coming and going?

KAUFMAN: We had a lot of stability. One of the arguments I make when I'm talking to the press about Joe Biden, I say, "Look at how many people that are around him today have been with him for 20 or 30 years. I mean, the guy wears well." People will talk to me about the gaffe stories and I say, "This is a caricature, this is not Joe Biden." It's interesting the gaffe stories have dropped off and I think the biggest reason is because they now know who Joe Biden is. I point out that so many of the people around him have been with him for 20 or 30 years. For a time, when they started the Congressional Management Foundation, I was one of the early people they talked to. They put together— I don't know if you ever saw it, I don't know if they ever do it anymore—but a chart of how long people stay, what's the average time that someone's chief of staff stays. Every year they come out with a book about what the pay is, and how long to people stay. I remember at one point, AAs and chiefs of staff, it was like 2.2 years. In my early days we had people who stayed 20, 30, 40 years, right from the first day. We had much, much, much fewer turnovers than any of the Congressional Management Foundations studies that I saw.

There are different positions in a Senate office in terms of turnover. If you hire someone right out of college, they're hired as a legislative correspondent, which means they're going to be doing legislative mail. I used to say to them, "If you're still sitting here two years from now, we'll all have made a mistake. Everything you can learn you can learn in 18 months to two years." I used to say, one of the great things about the Senate is that you have such wonderful people to pick from. The quality that you can pick is absolutely extraordinary. That's the good news. The bad news is they leave. So it depends a lot on what the job is. The list of key positions, the positions where you need to have some stability, is a funny list: There's the scheduler, the legislative director, the chief of staff, the receptionist, and the press secretary. Those are the people. Also the district director and all of the people back in the state, you want them to stay as long as they can. But in terms of legislative assistants, legislative correspondents, no, with some notable exceptions, they are not going to stay a long time.

My thinking about young people is you stay until you stop learning, and that only takes a year and a half. Our deal was if someone got a better offer, we never stood in their way. The exception was if you made a commitment that you were going to stay for a period of time. Even then, if you made a commitment when you became a legislative correspondent and said, "I'm going to stay for 18 months," that's the deal. The big thing you want to do is get on the Senate payroll and then go to the Senate cafeteria and find out where all the jobs are. You sign on as a receptionist or a legislative correspondent and then work your way up. But if someone came as a legislative correspondent and six months after they were in there, someone offered them a better job, no problem. Now, conversely, if after six or eight months you start looking, that's a different story. But we never had that problem. We never did have people that came and broke their promise to stay for a while.

RITCHIE: When you listed the key players, you included the receptionist—

KAUFMAN: I was just saying in terms of staying a long time. What happens in the Senate—and I've given this advice to young people for years: Just get a job in the Senate so you're on the payroll and can go to the cafeteria and find out where the better jobs are. As a result, Senate receptionists are the most over-qualified people anywhere in the world. They're all college graduates from the best universities, with wonderful records. They're just there to get started. The receptionist is important because when people come in from the home state, or friends of the senator, or friends of staff. Just making all that work is a very tough job. When we first started we had a string of receptionists. It took them a while to figure out who everybody was, and the process. So I said to the office manager, "I will guarantee you that somewhere on Capitol Hill there is a woman (I'd take a man or a woman so ask everybody) who, based on where our society works now, whose kids are starting school, who is looking for a job, and looking for a job to keep for a long time. Let's go over to the placement office and see if we can find someone who fits that mold." And we did. We had the most absolutely wonderful woman who stayed as a receptionist for 14 years. It made a world of difference. She just knew everything. She knew the people coming in the door. So that's why I mentioned the receptionist as someone you'd want to stay for a long time.

In terms of legislative areas, especially when you get more senior you really do want people to stay. Staff directors, you'd like someone to stay for a while, but that's hard.

RITCHIE: It does create an impression for an office, too. You go into some offices and the front office is pretty scattered, some young people working the phones and are preoccupied. You go into other offices and you're welcomed in as a guest.

KAUFMAN: That's important, those people in the reception area. I had some problems when we first started—boy, it really caused me problems back home. It's a tough job. You also have people just walk in off the street. You can get in a Senate office building and walk into an office and start giving the receptionist a hard time.

RITCHIE: I've spent time sitting in anterooms waiting and having to listen to these poor staff on the phone, clearly having to deal with some very agitated callers but dealing with them as politely as possible.

KAUFMAN: Yes, especially back here in the district offices. Back then they didn't like to make long-distance calls.

RITCHIE: As Senator Biden was progressing in seniority, did you think that you were going to stay with him for a very long stint or did you think you might take another office?

KAUFMAN: No, he's the only elected official I would ever work for. We had just an incredible relationship. Issues are really important to me, and I liked him a lot and we shared so many values. Even that wasn't planning. I went with him in '72 and expected to stay for one year. I stayed through the first election. After the first election he had married Jill, so after he was re-elected in 1978, he and Jill and Lynne and I came down and independently gave our own search with the idea that we would get off the commute and buy a house in Washington. We went around and looked, quite extensively, and found a lot of nice areas, but in the end, for both, when we sat down and actually worked it out: Lynne had a good job in Wilmington working for the Delaware Arts Council. Jill was teaching and going to school at night for her master's degree. The kids were in good schools. They liked their schools, they liked their neighborhoods. For everybody except the two of us in the commute, it was Wilmington 10, Washington nothing. Not that Washington isn't a great place, for us it didn't work out that way. So we all decided we were going to stay. Then, if you read any of the books about Joe Biden, they talk about the fact that even in 1980 there were people who came to him and thought he should get involved in that primary between Kennedy and Carter. So even in 1980 it was clear that at some point he was going to run for president. In 1980 he became ranking member on the Judiciary Committee, so it was kind of like his development was like this [slants hand upwards], it wasn't a plateau. He was a senator for all that time, but the challenge of being ranking member of the Judiciary Committee was a gigantic challenge. We had a wonderful person, Mark Gitenstein, who was chief counsel, he and I got along great. And Biden was on Foreign Relations, and I got along with those folks. It was very challenging and very interesting, and it was fulfilling my one rule, which was you're always still learning. The amount of learning was just like with Joe Biden, we were both learning a lot.

Then 1980 passes and again, in 1984, there's talk of him running in 1984. That goes right down to the limit. He decides he's not going to run, but the decision was made that he's going to consider a run in 1988. He runs but he's out in September of '87. Then I was in a unique position. In February of 1988 he develops two aneurisms and had to have brain surgery twice. For six or seven months, I was in charge. I mean, I wasn't the senator, but when the aneurism hit him, we talked to the doctor and basically the doctor said, "If he doesn't do anything job related, I'm pretty sure he can be back by Labor Day. He can come back before Labor Day, but then he's got to be very careful that he only works two days a week, or he could have a reversal and that would be bad." So we went through the whole thing and the basic decision was made: What he's going to do is he's not going to do anything as senator until Labor day."

An interesting sidelight to that is when he went in the Walter Reed hospital for the operation, a lot of people were calling, including President Reagan. We talked it over, Jill, and Jimmy, and me. We decided to say that "He's not going to return the president's telephone call." It was a beautiful example of how when you talk things through you realize some things you might not have considered. Because when the president of the United States calls, you call the president back. But what we quickly figured out was—and this is the advantage of having been in Washington for a long time—if you call Ronald Reagan back, then if the majority leader calls, you have to call the majority leader back, and if he ends up making more and more telephone calls, we're in deep trouble. So he didn't call anybody back. Ted Kennedy finally got upset about this so he just took the train to Wilmington, got a cab, came out to his house, got out and knocked on the door. [Laughs] He borrowed a pair of swimming trunks and they went swimming. We were just fortunate that nobody else tried that.

He had the aneurism, and we'd come off the [Robert] Bork nomination. Very close after that we had the [Clarence] Thomas nomination. There were all the crime bills from that period, where he completely turned the Democratic caucus around on crime. What happened in the Democratic caucus was back in those days you had the southern Democrats and the northern Democrats and they didn't agree on crime. They didn't agree on capital punishment, to start with. The Republicans had this kind of Nixon approach, really tough on crime. We had this weak position, which Joe Biden never adhered to. He went through this process of convincing the Democratic caucus That the overwhelming victims of crime were our people—I think it was in the mid-'80s. And I'll never forget, I never thought this would happen, he had a press conference and the entire Democratic caucus endorsed his crime bill. Howell Heflin and Sam Nunn were sitting at the table, and Howard Metzenbaum and Ted Kennedy were sitting there. He got the whole Democratic caucus. Then he sat down with Strom Thurmond and he got all the Republicans to sign on. So he started passing crime bills, topped with the Crime bill of 1994. So that was going on.

Early on, he had forged relationships with just about everybody that's involved in foreign policy, not just in the United States but around the world. He would travel to the NATO Parliamentarians meeting. I had gone with him on a couple of trips. We got involved in the SALT II treaty. So there was a lot of *gravitas* to what he was doing. Then we got to the 1990s and about, oh, I don't know, 1992 or 1993, I started thinking, " I know I want to do something with the rest of my life. I do not want to retire and play golf and tennis. To do that the way I want to do it is going to take a lot of energy, because change is very stressful and change is very difficult, and I've got to build a bridge to what I'm going to be doing next, and it's going to take a lot of work to do that so I've got to start on that "—not young but 55, 56, 57. At the same time Bill Bradley left, John Danforth left, Nunn left, a lot of people reached the same idea. At 54, 55, 56, 57, if you leave then you could have another career. Like George Mitchell. I didn't want a career where I went to work for a corporation or a law firm or something like that. I wanted to have a career where I had four or five different things, where no one else had a string attached. So I started to think about that, and when that would happen.

Then in about '92 or '93 it seemed like the best time to do it would be after the '94 election. Biden was up in '96, so in '95-'96 I would help him in that campaign, it would be one of the five things I was doing. I was already teaching part time at Duke Law School. I had a number of different things. So that's when I decided that it was time to go. Because what I wanted was to do five things, so I sat down and wrote down a list of ultimately 28 things that I could do, like little pieces of a puzzle. I got to eleven before I got the five that I needed. I thought, "Well, I could be lobbying." I went downtown and I found out two things. One was I started talking to former chiefs of staff and they said that people thought they were very friendly with their former senator, the person they worked for, but they weren't friendly, and that's because they had gone into lobbying and the members were very hesitant to help them because it would look like they were passing out favors, and in fact they bent over backwards to not do much of anything for them. Plus, when they sat in meetings with the senator, they were conflicted because of their clients interests. But the biggest thing of all was when I went down I found out that just about anybody that wanted to pay me the money that would make it worthwhile were people that I totally disagreed with. I couldn't find ***any*** group that supported my positions that had any money, which is a pretty scary thing. It's gotten worse. Now, for instance, since the Wall Street thing, it's been clear that it's very difficult for any organization that's opposed to Wall Street to generate the funds to be competitive. I'm not talking about campaign financing, I'm talking about just having the staff, and the thinkers, and the think tanks to be able to compete in the intellectual battle and the political battle. So I found out that's not what I was going to do.

But I was teaching. Fortunately, they were just starting the Broadcasting Board of Governors, which was overseeing all U S international broadcasting, which was the result of another Biden-Helms bill, where he had worked with Jesse Helms. They had taken all U.S. international broadcasting and put it under this one organization, and took it out of the U.S. Informational Agency. They had a board with nine members: four Republicans, four Democrats and the secretary of state. They were just starting that up and there was a real problem with who they were going to get on it. Senator Biden said, "Ted, would you like to serve?" And I did, I served for 13 years. That was a nice piece of the puzzle. The Duke teaching was a nice piece of the puzzle. I did some consulting, and I also was working on his campaigns. So it made a very good exit.

RITCHIE: Going back to when he came in as the youngest senator. A lot of those senators had been there forever. There had been a long stability of Democratic majorities and people had been chairmen for many years, while others were waiting to move up. And then in 1976, '78, '80 there were huge changes, 20 or so new senators in each Congress, so that he went from being junior to being fairly senior in a very short time.

KAUFMAN: Yes. We had kind of doped this out, too. We had looked at the Judiciary Committee member seniority list, when he was picking his committees. He liked to be on Judiciary, but one of the big reasons he got on it was because he looked at the list and the senior senators were Kennedy—so Joe would probably get a subcommittee pretty quickly. Byrd, he'd never stand in the way. Eastland was at the end of his days. So he had been in the Senate for only eight years when he became ranking member of the Judiciary Committee. It was fortunate that Kennedy decided he'd rather go over and do Labor and not take Judiciary, but he would have been number two to Kennedy, which would have been great. Part of it is just the passage of members, but part of it, too, was the strategy of the committee he selected.

RITCHIE: Then the other big thing was the election of 1980, when the Republicans won the majority for the first time in 26 years. How did life change for a Democratic senator who had been in the majority for all that time and was now in the minority?

KAUFMAN: First off, where you are in the minority matters. He became the ranking minority member of Judiciary, so in terms of actually influencing things, he was in a good position. Number two is, and it's one of the funny things about the Senate, you are better off, in terms of being able to put your ideas into the game, and be successful, and move where you want to go, when you are ranking minority member of a committee with the president of the United States of the other party, than if you are chairman of the committee with a president of your party. I would hazard a guess that from 1981 through 1991 there was no one on the Sunday talk shows more than Joe Biden. Clearly, during the Reagan and Bush eras, because he was on Foreign Relations and Judiciary, he was asked a whole lot. Now, Joe Biden was chairman of the Foreign Relations Committee during the Bush years and he set a record, I think, for being on the Sunday shows. When Clinton was president, Biden was on a lot, but not as much because the secretary of state was on, the national security advisor goes on, the secretary of defense goes on, you had all these people in the administration who were spokespersons on those shows. And you have to realign whatever it is you're saying—I'm not talking about violating your principles, but you have to realign whatever it is you say to the administration. So I'm sure that John Kerry—I'm not saying that he would change his position or anything, but just watching him I'm sure what he would be saying would have more edge on it, more appeal, and get more headlines, if there was a Republican president right now.

Then Biden was a presidential candidate. We had the Supreme Court wars. We had the crime bill. We had a lot of stuff in Foreign Relations, we had South Africa. He was big, as I said, on SALT II. In 1984 he made the basic decision that he was going to serve on just two committees. It was fascinating that no senator is on two or three committees. Everybody's on four, five or six committees. They start making waivers. You're only supposed to be on a small number of committees but they waive that, which is one of the big problems in the Senate now. They have put in so many waivers that senators are on too many committees. They don't have time to really look into things because their responsibilities are spread so thin. Then they take on a subcommittee and don't have time to chair the subcommittee because they're over being busy with being chairman of another committee, and that whole area just lies fallow. But he cut back to two committees and really put time into both those committees, hired good staff. So it was really challenging during that period and really gave you a feeling that you were accomplishing a lot being part of that, trying to make a difference. He and I used to say, "What did you do during the war, Daddy?" When the country needed you, what did you do? We felt good about our answer to that question.

RITCHIE: Before you mentioned the fact that he had some amendments with Jesse Helms. He also had an interesting relationship with Strom Thurmond. He seems to have been able to make alliances across the aisle, on certain issues at least.

KAUFMAN: When he was running for president, as shorthand, I would say to people, "One of the big reasons he should be president is because I've never met anybody who could go into a room full of disparate views, find out what the common ground is, and get everybody to agree to move forward." He's done that time and time again, and without betraying his principles. You know, Strom Thurmond was one of the most conservative members of the Senate *ever*, and he did a number of major issues with Strom Thurmond. The same thing with Jesse Helms, who was called "Senator No," and yet Joe Biden got the Chemical Weapons Treaty, the Broadcasting bill, and loads of other things he passed with Jesse Helms. The thing that's fascinating about it is that both of those senators, when they died, had asked that he be one of the people to eulogized them. He just has an extraordinary ability to bring people of disparate views together and find a common ground.

RITCHIE: Senator Helms had devised that process of introducing amendments on emotional issues, on everything from school busing to abortion, to try to put other senators on the spot, force them to take a stand. Those were difficult issues for Senator Biden at the time—

KAUFMAN: Not really. That's overdone. Again, Joe Biden's never been one to parse issues. His basic approach is how you deal with issues. It really was the best thing to let people know where you stand and then stand there. He wasn't someone who spent hours sitting around worrying that "Helms has got an amendment, what should I do about it?" It may have been a problem for some other senators. Of course, now it's been raised to an art form. In the two years I was in the Senate, you look around at these amendments and you just want to laugh. They weren't designed to ever be passed, they were totally designed just to able to be wrapped up into a 30-second spot. A lot of that started in the '80s. Max Cleland was much later. Bob Morgan was defeated by John East because of a vote that implied he was opposed to the military. It was some phoney-baloney amendment that was not at all what it was about, but it sounded that way. NCPAC, I guess, the National Conservative Political Action Committee, back in the '70s and '80s, they were the ones that got senators to do things like that. But I can remember Joe Biden would sit with Helms for hours on the Chemical Weapons Treaty.

RITCHIE: I noticed that in the 1980s you were a member of the Democrats for the '80s and the tactical committee of the DNC. Were you getting more involved in national politics?

KAUFMAN: **T**he Democrats for the '80s was a group that was started here in Delaware to win the House and Senate and help bring candidates along. The Democrats for the '80s was a totally Delaware thing. But I was more involved in the DNC. The DNC had a committee to look at different ways to improve—I can't remember what year it was. But I was much more involved with the DNC, and the Senate in terms of working with the sergeant at arms, the secretary of the Senate, and other chiefs of staff, the Congressional Management Foundation, and things like that, because I was a pretty senior guy, and I think because of my Wharton training people thought that maybe I knew more about how to organize the Senate, having been in the Senate for a number of years, not general organization and administration but specifically to the Senate. I used to meet with the different reform committees that were dealing with what we should be doing, yes.

RITCHIE: I was wondering if the fact that the Democrats were in the minority from 1980 to '86, there was some rethinking of what the party should be doing.

KAUFMAN: On the national level? Not really. It's really amazing. The DNC, in terms of what it's doing in terms of strategy, has become almost irrelevant. Today, the presidential candidates set the tone. If you have an incumbent president, that sets the tone. We didn't have either of those things. Elected officials today, as I said before, are very entrepreneurial. I don't think there was anything that went on during that period where the party made much of a difference. I know Howard Dean put people in the districts and things like that, and I think that was helpful, and he doesn't get enough credit for that. But the Senate Campaign Committee became just a total money machine. We used to have meetings at least every two years where candidates would sit down and go over what the last election was like. We did it after '78. We did it after '80. Somewhere along the line they just said, "Look, what we need the Democratic Senatorial Campaign Committee to do is raise as much money as it can." So there isn't a lot of Democratic Party strategy—I mean even until this day the DNC doesn't direct things. Let me put it this way: over the years since I've been involved, starting in 1971, there's been a constant erosion of parties having any impact on just about anything. Outside of the organization of the House and senate, parties have become effete.

There are two big reasons for the change from when I was first involved in '70. One is patronage. On the local level, parties used to be a lot more powerful because they had a lot of people involved, and the reason that a lot of people were involved was because if you're lower middle class or middle class, it's a chance to get a job. It was good we did away with patronage, but all of a sudden going into a working class district and trying to get committee people was very difficult. The other problem was we moved to primaries, another good idea, and did away with the caucuses. There were a lot of people at the upper middle class and above who were involved with the party to actually affect ideas. The way you did that was you got to pick who the candidates were. Well, when you did away with the caucuses, and went to primaries, the candidates stopped showing up at the party events. The Republicans have always been more party-centric and more party organized than us. We've just atrophied to the fact where the DNC and Democratic Senatorial Campaign Committee are just about raising money for the candidates. It's funny because you read in the paper that "the Republican Party is putting pressure on so-and-so to run for office." I'm like, "Oh, yeah, really?" Forty years ago the Republican and Democratic Party could tell someone, "Hey, Ted, you want to run for governor some day? Well, we need you to run for the Senate this time." If you turned it down, when it came time to run for governor you have to go by the same party people, and you weren't there when they wanted you. That is totally gone. There is no way any party can put that kind of pressure on someone. Now, when you get into the Congress, the congressional leadership can put pressure on you. But the only place where the parties really function anymore, in my opinion, is—I assume the state legislatures—and the Congress. That's the only place where we've got the aisle with Republicans on one side and Democrats on the other. But outside of there, my personal feeling is the parties are effete.

RITCHIE: Mentioning that the parties are stronger inside of Congress, what was your impression of the Democratic Party leadership during the '70s and '80s?

KAUFMAN: Good leaders. Mansfield was great. Byrd was great. Mitchell was fabulous. I wasn't around with [Tom] Daschle. I was trying to think when Mitchell left.

RITCHIE: He left in '94.

KAUFMAN: Yeah, he left with me. I wasn't around with Daschle, but I hear good things about Daschle as leader. I believe to the bottom of my being the selection of Daschle and Reid as majority leader was when we really decided that it was more important to have an inside person, someone who could make the Senate function, although Robert Byrd never went on any of the Sunday shows, and Mansfield wasn't, there wasn't much of that back then.

RITCHIE: They always had to have three or four times as many questions for Mansfield when he went on TV because he would always answer "yep" and "nope."

KAUFMAN: Exactly, he was great. But I think they had great leadership and I think they had great senators. A friend of mine, Ira Shapiro, is writing a book about how great the '60s and '70s were. I think he is right in most respects, people should not forget about a lot of the misuse of power by committee chairs during that period. I think that a lot of our problems are our move to more and more transparency. People can now see a lot more about what's going on. I do not think it's a coincidence that the institution in Washington held in the highest regard is the Supreme Court. The Supreme Court is the least transparent of the three. I think a lot of the reforms on campaigns and gifts now puts it in the public record, where press, media either responsibly or irresponsibly present data that puts a negative spin on the Congress. But I also think one of the biggest problems with Congress is that neither legislation nor sausage looks good being made. It was counterintuitive to me until I thought about it for a while and that is that most of the people who watch C-SPAN hold the Congress in the least regard. There are so many people who believe that Congress is what's on C-SPAN. Anecdotally it's always, "No one is on the floor," and the rest of it, which is what you hear a million times. You say, "Well, that's not really where the Senate does its work, that's the place of record. Do you watch the committee hearings?" I get that blank look, "Committee hearing? What the hell is a committee hearing?"

So the Congress has been through a difficult time. I think one of the biggest problems has been the fact that we controlled the House—I'm a Democrat but we controlled the House way too long. In the last years of those 40 years we did some things to the minority that just set them off on a tong war. Then we're back at them, they're back at us. It's kind of like what went on with the judicial nominations in the Senate. The pendulum swings and the Democrats are in charge and they do this, that, and the other thing. The Republicans are in charge and they're going to do it back and one more. That's part of the problem.

To talk about civility, which we're going to talk about at some point, I think civility was worse in the mid '90s when I left. I think a lot of it was the term limit folks. And a lot of the Republicans came over who had been victims of some of the draconian rules the Democrats put in during their last years in power. They came over with a real chip on their shoulder and there was real dislike between people. I think there are people who are annoyed at what senators do, but I don't detect—although my colleagues believe it—I don't detect a lot of personal animosity being in the way of getting things done. I think what's in the way of getting things done is there's a very distinct difference in the country over how to proceed. If you look at the concentration of people, the red states are becoming redder, the blue states bluer. If you look at the polling data, and look at these issues, and you look where the split is, this is not something that is fabricated in Washington.

One of the things I teach in my course is one of the big things that makes people mad, what they hate more than anything practically, is partisan bickering in Washington. "It's all partisan bickering. It's all politics. If they ever get away from partisan bickering . . . look what happened on 9/11. Everybody worked together." Well, everybody agreed after 9/11 that we should do something. There was total unanimity about what we should do. Find me another issue like that! Cap and trade? Abortion? Guns? Find me another issue that over 50 percent of the people agree on. You've got 40-40-20: 40 percent for, 40 percent against, 20 percent undecided. Debt limit extension, healthcare reform, you name it, this country is split right down the middle. This is my engineering background: Okay, I got it; the people are split; this is a representative democracy; members are supposed to represent what the people think; they're not getting along; *it's them*! I don't get it. It's written so often, and the media is just slavish to this. "John Boehner has never done a single thing in his life that wasn't political. He has no principles. He doesn't care about anything." I mean, they write these stories about the debt limit bill like everything is about positioning in politics. Now, is some of this positioning in politics? Absolutely right. Are they trying to win the election? Right, they're trying to win the election so that their idea can be conveyed, that's why they're doing it. But they are reflecting the very stark differences between their constituents. There's a difference between that and a lack of civility. Lack of civility is when you just don't like people, and I'll tell you what, in the mid-'90s there were a bunch of senators that lots of senators just didn't like. Again, I think there are some members who got people upset. Members who got me upset. But it wasn't personal. It wasn't "I think they're bad people." That's the problem. There are a number of people, including people in my own caucus, who just hold very different opinions. It isn't about their personality. I don't go out and vote against an amendment they offered because I don't like them. I didn't see much of that in the two years I was there. I saw more in the late '80s and early '90s.

RITCHIE: One of the biggest changes was in the nature of the parties themselves. In your caucus, when you were a senator, there really wasn't a huge difference between the furthest to the left and the furthest to the right, and the same thing in the Republican Conference. There's a lot more unanimity in both conferences. Whereas when you came to the Senate in the '70s those two parties were internally split with liberal and conservative wings.

KAUFMAN: Yes, I used to have a saying—in fact I wrote an article about this in the *Delaware Lawyer* about this—it had to do with Delaware but it also was a national trend. That was in the '90s when I started saying to people, "The bad news is the Democrats lost the South. The good news is the Democrats lost the South." What was becoming clearer to me was that the Democratic Party had been a split party, and a lot of the problems of the '60s and '70s had been that the southern Democratic Party was very conservative while the northern Democratic Party was very liberal. This was especially true in Delaware. We talked about the canal that goes down through the middle of the state. There's their side of the canal and our side of the canal. Our side of the canal is like New York and Philadelphia and Baltimore and Washington, right down I-95. Below the canal is the Delmarva Peninsula, which culturally and politically is more like Alabama and Mississippi. One of the reasons why when Joe Biden ran for president in 1987 he did very well in the South, and did very well in Mississippi, in fact, even though he was out of the race early, he had the Democratic governor of Mississippi and the Democratic state chairman in Mississippi endorse him for president. People would say, "That's astonishing." I would say, "No, he goes down there and it's just like Sussex County, it's about family values and things like that."

My point was, okay we're going to lose the South, but we're going to pick up a lot of these northern states. Starting at the Atlantic Ocean and going Ohio, Indiana, Michigan, straight on out there. For the Democratic Party - guns are impossible in the South. I saw the numbers on [Michael] Dukakis, with his position on guns he couldn't win one of those southern states, not one. What you had was a regional consolidation of the parties. You have people in neighborhoods and communities more and more agreeing with what their neighbors thought. So the Democratic Party caucus moved, as you said, we went from eight congresspersons from Georgia to losing seven of them. But at the same time we were gaining in the North.

What I wrote in my piece about Delaware was that you were going to see more and more Delaware becoming a Democratic state. Up until 2000, for 60 years, if you knew how Delaware did in a presidential race, the percentages, you would know within one or two percent what the percentages were in the United States. It was a perfect microcosm of the United States. Then in 2000 it went with [Al] Gore. But by the time you get to 2004 it went with [John] Kerry by six percent. In 2002 Joe Biden was up. There's a technique in campaigning called targeting, I don't know if you're familiar with it, but what you do is you don't use any polling data, you just look at the voting results, and you begin to find out what districts are Democratic districts, what districts are Republican districts, but more important where the persuadable voters are. There's a computer program you can buy that says, "Look if you can only campaign in one district in the state, this is the one, because these people will split their votes. The Democrats will vote Democratic and the Republicans will split their votes and vote Democratic if they get the right candidate. So that's where you want to be because that's where the persuadable are and you're trying to get the persuadable voters."

We did a targeted analysis, because you make a lot of your decisions on scheduling because you want to be in the persuadable areas. There's a guy that does it for the Democratic Party who's just absolutely wonderful, I've known him for 30 years, a guy by the name of Mark Gersh. So we get the stuff in 2002 and we open it up and I say, "Oh, my God, this is wrong! This is crazy!" The district where I lived, where I told you I was the chair, was a totally Republican district in the early 70s. When we did targeting for the 1972 race, this district was the most Republican in the state. Two thousand and two comes and it's now the most persuadable district in the state. I called Mark Gersh and I said, "Mark, this data is wrong." He said, "Tell me about the district, is it suburban?" I said, "Yes." He asked me a few more questions and he said, "Yeah, you look around. All those districts like that are going Democratic." The same in Pennsylvania. I think Pennsylvania in 2008, something like 600,000 people left the Republican Party, because the Republican Party by uniting around a southern base had become a party where most of the Republicans in the party back when it was split North and South, the northern ones were fiscal conservatives, but more moderate on the social issues. They were country club Republicans. They were George Herbert Walker Bush Republicans. A lot of them were libertarians. What happened was, they started turning Democratic.

I was talking to a guy I know, a pollster, and I said I really think it was Hurricane Katrina that moved people. A lot of people were moved by Katrina because it goes to competence. The Republicans think they were competent, but in fact they were incompetent on Katrina. He said, "You're right, but you really know what did it? Terri Shiavo." He said, "When those moderate, social conservative, libertarian Republicans north of the Mason-Dixon line saw the Republican president of the United States, who never called a special session of Congress, came to DC from his ranch and called a special session and brought the Congress back to Washington to determine whether a tube should be pulled from a woman in Florida, it went against states' rights, it went against libertarianism, it went against everything." He said, "That's the thing where they just decided this ain't my party anymore." You could just see it, that's how it happened. So I don't think the problem is so much that the Democratic caucus is more Democratic than it was. But I also think there was a lot more party discipline.

Clearly, Sam Nunn was more conservative than Arlen Specter, got it. Arlen Specter is more liberal than Sam Nunn, so you had that split. But right now you look at that Democratic caucus and you look at where it really matters, you've got a bunch of people who are more conservative—it's a little bit like—this is a very good point—I have figured something out that I have been tussling with. The Republicans are more solid and the Democrats are more solid. You don't have the overlap like Sam Nunn and Arlen Specter. The Republicans, if you look at the spectrum, which used to have the bulk of the people at either end and then the curve went down and right in the middle you had Republicans like Specter who were over in what would normally be Democratic airspace, and Democrats who were over in Republican airspace. I think what's happened is, and I need to think more about this, is the Republicans have moved further to the right. It's not like the two of them have consolidated. So you've got a guy like Ben Nelson, who's a pretty conservative guy. You've got Evan Bayh, who's a pretty conservative guy. You've got Mary Landrieu, Blanche Lincoln. You've got some pretty conservative people, who when Arlen Specter was a Republican there would have been overlap. But what's happened is Olympia Snowe and Susan Collins have moved.

The discipline in the Republican caucus is incredible. You've got a much tighter bunch of the Republicans further to the right. The Democrats really haven't changed that much. By the way, now that I think about it, I don't think that the Democratic makeup has changed. There were southern Democrats, it's changed a lot since Sparkman and Eastland, since 1973, but I think recently it's much more about the Republican Party becoming much more uniformly conservative. But, the Democratic Party hasn't become more uniformly liberal.

RITCHIE: I remember that in the late '80s even Barry Goldwater was being described as a moderate because his party was shifting underneath him, even though he hadn't changed his positions.

KAUFMAN: Barry Goldwater was more like H. W. Bush. Barry Goldwater was not a social conservative. Barry Goldwater would not vote to restrict abortion or those kinds of issues. Strangely, he was in the Southwest, but his conservatism was not about the social issues, so he was out of step with the social conservatives.

RITCHIE: It's an interesting phenomenon on politics that if you stand still, you can appear to be changing.

KAUFMAN: I think at certain times that happens, but normally that's not what happens. What's going on now is a real realignment. What's going on now in Montgomery County, Pennsylvania, is not that people are leaving the Republican party, it's the Republican party is leaving them. And I think to a certain extent what's happened in certain districts in Georgia is—although the Democratic Party has not really moved. We did our movement in the '60s and '70s. The Democratic Party did a lot of moving in the '70s. If you look at the Watergate babies, you see a lot of those Eastland, Stennis, Talmadge guys being replaced by Wyche Fowler, Max Cleland, and a lot more moderate Democrats coming out of the South. Dale Bumpers coming in. Of course, he took Fulbright's place, so that's not fair to say, now that I think about it. I'm trying to think more about Louisiana with Bennett Johnston or Lloyd Bentsen in Texas.

RITCHIE: To some degree there was a difference between the personalities there now and those in the 1970s. There's been a shift since then of where people are located politically, which has resulted in the Democratic Conference more and more voting as a whole versus the Republican Conference voting as a whole.

KAUFMAN: Yes, but I think one of the mistakes that all of us who are students of the Senate and the House make is we that underrate how much what's happening in the country is driving what's happening in the Congress. And of course, in many issues, what happens in the Congress does drive it, but I always think back to pay raises. We came back one year, I can't remember what year it was, and House Speaker Jim Wright had this strategy for voting to pass the pay raise. You remember what it was, we've got it all doped out, it's the whole deal. I can't remember who was majority leader in the Senate but it was Jim Wright's deal. He was going to get it through the House and everybody was going to get a pay raise. I'm talking to people and they're already spending the money. I was saying, "I don't think that Jim Wright can deliver on this one." One of the issues that I think the American people are most energized by is pay raises. Sure enough, Jim Wright got everybody lined up and somebody in the House or Senate got up and resolved that no money in this bill should be used for pay raise and the whole thing went down the tube. Because the American people were *furious* about it.

I think the Congress is to a large extent a reflection of what's going on in the country, and I think what's going on in the country is a consolidation of Republican positions. One of the things that's going on, that's really fascinating, is everybody now keeps talking about the independents. But the independents are now disproportionately Republican because they're the ones who moved. The Democrats aren't moving. When you move, from talking to pollsters over the years, when you're in a race and you see people move from undecided, they don't move from Republican to Democratic, they move from Republican to undecided, and then to the Democrats. You have this whole movement. For instance, the independents in Pennsylvania, I'm sure are much more heavily Republican. Because you look at the numbers, like in Delaware, Delaware for years was 35 percent Democratic, 33 percent Republican, and the rest independents. Now it's 47 percent Democratic—47 percent! Now I'm sure those independents are a lot more Republican than way back.

The other thing to keep in mind—one of the things I learned from being there—is a lot of Democrats complain about why we can't do anything about guns. It is fascinating to see what kind of gun bills can pass the Senate. This thing about being able to carry guns in a national park. And being able to carry guns on trains. Anything that comes out on guns, people vote for it. What became clear right from the beginning was the reason we had 60 Democratic votes was because of a whole group of very attractive Democratic candidates who were Democratic in every way, shape or form but just said yes on guns—the Udalls, Mark Warner, Jim Webb, I think Mike Bennet—there are a whole bunch of Democrats who if they had not taken the gun position wouldn't be senators today. Some of this is very difficult to broad stroke what's going on.

RITCHIE: There's always compromise in politics. Alben Barkley once said that the way to become a great senator was first to get elected to the Senate. You have to compromise just to get elected.

KAUFMAN: I think that's right, but one thing I use in my class, and sometimes when I'm speaking now, is if you came from Mars and read the press for a while, you would absolutely believe that as a matter of fact, a hundred percent of the time that all members of Congress care about is reelection. I mean, this goes back to talking about John Boehner and all that, that there's never a thing that's done that's not all about reelection. I say, "There are several contradictory ideas here." I say to the audience, "How many people think senators have big egos?" Every hand goes up and they laugh. I say, "They do have big egos. In order to believe that all they care about is reelection you have to believe the following: that someone with a gigantic ego decides to run for the Senate, go through raising money, kissing babies, and all the things you have to do to get elected, gets elected, comes in and sits down in his office and says, 'Okay, bring me the polling data because the whole time I'm here I'm just going to vote the way my electorate wants me to vote. I'm not going to take into account anything I want to do.' Do you just think they just want to have senator by their name?" That's just totally incomprehensible. They come to the Senate because there are things they want to get done.

Most of the time what they want to get done—this goes back to the whole cultural thing—like the gas tax. In Delaware, many of my friends say, "Why can't we do something about the gas tax? We should raise the gas tax." Go and explain that to the guy from Wyoming. Do you think that he's just selling out by opposing a tax increase, or do you think the fact that he's from Wyoming means he just doesn't believe that the farmers and ranchers from Wyoming should have to pick up this gigantic burden when they're driving 100 to 150 miles a day. Even members of Congress almost buy into this, but I think that most members of Congress are the kind of people who are going to do very much without getting to do it the way they want to do it. As a group, they just don't strike me as a "I'm going to take my Castor oil" group. They aren't Castor oil guys. The fact of the matter is, most of the time they agree with what their back-home constituents want. I go back to what we talked about earlier: I think if they were elected for life most members would vote the same way as they do now. They've done a number of studies on people who have announced their retirement. Their voting record turns out to be a whole lot similar to the way they voted before. I think that most of this is a manifestation of the change in the position of the electorate, and therefore who the electorate will elect, and what the people they elect believe. Does that make sense?

RITCHIE: Mmm-hmm. You mentioned earlier that the voters don't like so much bickering, but then they elect people who don't agree with each other.

KAUFMAN: And there have been so many studies that show that people really don't want to compromise. Like, for instance, people say they don't want to cut Medicare and Medicaid. Then they say, "Medicare, oh the seniors are just selfish." No, no, you know what the problem is? Some incredible number of people, over 45 percent of the people think that if they cut foreign aid they could balance the budget. Foreign aid is about 1% of the budget. Well, if you're thinking that cutting foreign aid can balance the budget, why in the hell would you cut Medicare and Medicaid or Social Security? Right now, I don't think there's a whole lot of feeling among the electorate for compromise.

RITCHIE: You mentioned earlier the salary issue, which caused a huge political explosion and led to the constitutional amendment. There were in the late '80s efforts to control outside earning by senators and to do away with honoraria, and raise the salary as compensation. Does that put a burden on someone like Joe Biden, who really wasn't wealthy when he came to Congress?

KAUFMAN: Oh, yes, there's no doubt. He took honoraria and he did it for years, but he got to the heart of it, which was he didn't take honoraria from anyone who lobbied before the Congress. The problem with honoraria was it started out being like so many things in life, not so bad, and then some senator would get take an honorarium for going down to the Hyatt Regency and speaking to 10 people and get $2,000. I'm in the process of writing a piece on the revolving door. There are massive problems with regard to conflict of interest. If you had to say what are the things that have been going on in the 40 years that you've been doing this that most disappoint you, one of them is that nobody recognizes conflict of interest. You see so often potential conflict of interest. There's rarely a potential conflict of interest, there's conflict of interest. There's "potential" because conflict of interest has taken on this kind of "you're calling me a crook" response. No, I'm not calling you a crook, I'm just saying that if your wife is a lobbyist for a company and the company comes to you and asks you for something, you have a conflict of interest. Whether you do something bad or not is a totally different thing.

If you make a ruling, like what happened on the FCC on the Comcast-NBC issue, if you're a member of the FCC and you rule that Comcast should win, and then six months later you go to work for them, that is not a potential conflict of interest, you were involved in a conflict of interest. If you're on the FCC and you're looking for a job, there's maybe five, ten, fifteen, twenty—a lot less than that—companies you can go to work for. For you to make this decision, you know if you vote no, the chance of you getting to work for Comcast is zero. So there's a conflict of interest there. People don't recognize this. I've been in these situations where someone says, "Yeah, there's conflict of interest, now what are we going to do?"

You've got the revolving door, and all kinds of conflicts, and members have conflicts, too. Honorarium can potentially create a conflict and we did away with that. It was really smart to do away with it. You really want to get sick? Go and look at during the healthcare reform, where they have a healthcare forum, and they've got the top newspaper columnists in American coming out there and getting paid $25,000 to give a speech by someone who has a distinct interest in what's going on in the healthcare bill. That's the kind of thing. I think one of the reasons why the Congress—and I used to be able to say this until we got what's his name? Jack whatever. I like to forget these bums' names.

RITCHIE: Abramoff?

KAUFMAN: Yes, I like to forget their name, that's a senior right. You have these guys who have the potential—see, I just said it myself, potential conflict of interest with old House Ways and Means Committee chairman, Charlie—

RITCHIE: Charlie Rangel.

KAUFMAN: That's not a potential conflict of interest when you're writing letters on your committee stationery asking people to contribute, that's just straight out conflict of interest. I used to say it, and I believe it, that when you start talking about how bad the Congress is from a corruption standpoint, you go look at any legislative body in the world. Let's start with the big ones, let's start with England, with all the problems they've had like that expense scandal, which was out of this world. You have Japan, where they seem to have one every week. You've got Germany. France, oh, my God! So we have all those rules and I think in a strange way since there's so much transparency it's easier for people to write their stories being critical and put the Congress in a bad place. The Knesset, you have a hard time finding a legislative body, that is as corruption free as the United States Congress.

RITCHIE: The other interesting thing about members of Congress is that some of them leave office when they realize that their former staff are earning more money than they are on the outside as lobbyists. I think of Don Nickles who gave up being chairman of the Budget Committee. He had a safe seat but decided to leave to earn some money.

KAUFMAN: I'll tell you what, I'll be very interested to see how many of these guys who left are happy. Don Nickles used to show up at the senate prayer breakfasts every Wednesday morning, I do not know, but I felt he really missed being a senator. A lot of the people who left, John Danforth didn't need the money, Bill Bradley didn't need the money. Here's my analysis on money, in the contrast between Jim Wright and George Mitchell. Jim Wright and George Mitchell were extreme examples, one was Speaker of the House and the other majority leader of the Senate, very powerful people. Some of his Jim Wright's friends gave the rationale for what he did as: he has these friends who have their own plane, they have their own island, they have all these things, and he's more powerful than all of them. Why shouldn't he be able to have these things? Jim Wright had to resign because of the scandal.

This was why George Mitchell was so great. He said that when you're in a position in government, or any position, and you have to make a decision between what's unethical or even worse illegal, you have to make that decision, and George Mitchell looked at exactly that same situation when he was majority leader. He couldn't travel and do all these other things these other guys were doing, so he left the Senate. That's what Jim Wright should have done. He should have left the House. Don't cry for me Argentina, the people I feel bad for are those senate members and staff whose kids get to college age and they have to leave the senate to pay for their kid's college. But, I tell you what, the great thing about the federal government is it's like a moveable feast, you can come back. I just think this is a standard decision that everyone has to make, and that is what is important to you.

I have a thing I say to young people—it doesn't apply to others—but I say to people who come and talk to me about trying to do public service or not, and whether they can afford it because they've got college loans, a lot of my students. I say, "Everyone is on a continuum with Mother Teresa on one end and Gordon Gekko of *Wall Street* on the other. Gordon Gekko would do anything for money. Mother Teresa didn't care about money a bit. You're on that continuum somewhere, and I believe where you are is hardwired into you. I believe that most of it us are born with, with maybe a little is an acquired nature, but when you reach maturity you're hardwired on that and your happiness is going to relate to where you are on that continuum. Some people can work, not make a dime their whole lives, scrimp and save, and die happy. Other people can make a zillion dollars and be unhappy. It depends on what you are.

I think a guy like George Mitchell sat there and said here's where I am on this continuum, I've been doing this for a long time and it's time to leave. Of course, George Mitchell is my idol, I used to watch the Senate, especially the last few years when I was working staff. It would be evening and they couldn't get an agreement on something. I'd see Mitchell on the floor. The camera panned to him and I swear to God you could read his mind. You just looked at his face and it was like, "Why did I ever take this job? George, what were you thinking about when you took this job." I don't think George left for money. I think he thought, I've done a lot, I've given a lot, it's time for me to kick back and live a little. I think it's the same way about federal judges. It's one of the most personal decisions of all time, not how much money do you have but how much do you need. How much money do you need and then how much money do you want. By the way George Mitchell gave up a lifetime appointment as a federal judge to take Ed Muskie's seat in the senate. He and I are, I think, the only Senate chiefs of staff in history who were appointed to their senator's seat.

I always tell young people, who say that they want to do public service but have student loans and especially law students who can go to work for law firms for two or three years and pay them off. I say, "Here's one test: it isn't how much you make, it's how much you spend. If you allow your needs and wants to grow to your salary, as opposed to maintaining your needs and banking the difference, then you don't have a future in public service. I've seen all kinds of good people who had to turn down really good jobs in the federal government. They were almost crying when they said they couldn't do it. But they had two homes, they had a country club membership, they had kids that they were sending to private school. I'm talking about the necessary things. They had a lifestyle, they had a monthly nut that they just couldn't go below. There are more and more people like this because of the disparity between public and private pay. Back in my day, when I came to the Senate I got a slight increase in pay, but there really wasn't a whole lot of difference. If you're a vice president for some company you can be paid two, five, seven million dollars a year. To go back and be paid $170,000 or slightly more, you just can't afford to do that. So I think it's a continuing kind of problem, probably exacerbated by the tax breaks that have allowed such a small number of people to have such a disproportionate amount of wealth.

RITCHIE: The irony is that senators are raising millions of dollars to run for an office whose salary is less than $200,000. It seems out of whack.

KAUFMAN: Well, with all these things, it's only out of whack to the extent that money determines things. One of the problems we have in society today is that money, money, money is the most important thing in the world. You know, I'm 72 years old. I have financial wherewithal and all the rest of that stuff, but most of the things for me, the way I'm hot-wired, and what I'm happiest about what I did, were not related to money. I'm not ready to say that it's unusual for someone to raise two million dollars to get a $176,000 job, because it's not the two million dollars or the $176,000, it's, I want to make a difference. This is the job that makes a difference, and this is what I have to do to get there. Because I don't give a damn about the money—not that I don't care, but the money's not driving me.

I'll tell you, when you go up to New York and Wall Street, so much of it is, "You're making $200,000 and he's making $400,000, he's twice as good as you are." I remember a reporter told me, "How could a Securities and Exchange lawyer ever win a case making $400,000 a year working against one of these white collar crime guys up in New York making three million dollars?" I said, "Well, there isn't anybody at the SEC making $400,000 a year, just to start there." It was so out of touch with what's going on. I always say to people that I enjoy going to Mass on Sunday morning and one of the reasons why I enjoy going it is because it's still a place where you can say "do unto others as others do unto you" and people believe it. "Be my brother's keeper" and all those kinds of things. I do think that when I sit down with people who say, "I want to be a federal judge but I can't afford to take it," when a federal judge is guaranteed a salary for the rest of their life, of like $184,000 a year, I'm not going to feel sorry for you if you're not taking a federal judgeship. I don't believe the quality of our judges is suffering. I believe that anybody who says its all about money, that they wouldn't take a federal judgeship because $184,000 for life isn't enough—that's the best deal. Now, does it compare to being a partner at Skadden and making five millions dollars? No. Although I'll tell you what, if you're about 60 or 65, it's damn close. One of the interesting things—what time do you have to go?

RITCHIE: My train is 4:26 and it's 20 minutes to 4 now. You know the route.

KAUFMAN: Yes, we're pretty close, but I hate running for trains, so I'd say 10 more minutes.

RITCHIE: Tomorrow I'd like to talk about your service in the Senate.

KAUFMAN: Yes, this will be great, I'll give it to Joe Biden. Senator Biden here's your life.

RITCHIE: Well, this was lead-up to your service.

KAUFMAN: No, let me say that when you're chief of staff to a United States senator, you are inextricably tied to that senator. That's just the way it is. So this is my story. My memoirs for those 22 years, extracting my personal life, it was Joe Biden every day, all day.

RITCHIE: I was interested in something you said earlier about there being a period when you were in a sense acting as the senator because he was ill. But there was also a long period when he was running for president. What's the role of a chief of staff in an office when the senator is going to be absent either for political reasons or health reasons?

KAUFMAN: Well, I was not even close to being a senator and would like to strike that. There was no senator. The right way to say it was I had to run a Senate office without a senator, because I ran the office. We had our legislative director answer the mail. I was in communication with him all the time about what we did. I couldn't vote or do anything that a senator did. I was just using shorthand.

But what happens in a presidential campaign is in fact you just walk away from your Senate office. It would be interesting to follow Obama's record in terms of measurables. Here are committees he was on, how many meetings did he attend? Here's how many votes there were, things that you could measure, not anything substantive. Daffy Duck could have managed the office during that period. [Laughs] Now, he's out in Illinois, which is a big state, and Delaware is a small state. But once you commit to running for president—I spent a lot of time thinking about this, because you spend a lot of time on airplanes and doing things in the campaign thinking, "What am I going through this for?" My mother had a saying that nothing in life that's worthwhile comes easy, which I totally ascribe to. I rearrange that to say if it's really important, it's really hard. When you look at what the most worthwhile thing you can be it's got to be president of the United States, therefore it's got to be the hardest thing to do. And it is the hardest thing to do. It's incredibly stressful. It's the toughest thing there is to do. That's the reason people are attracted to it and want to get involved in a campaign. It's like six-dimension chess, because everything is perception and reality, and perception, perception, perception. The mechanics begin to dominate the whole thing, so it's very hard. When you're flying somewhere in the middle of a campaign, and it's very stressful—I'm sure everybody does this, I know I did in the '87 campaign—you ask yourself, "What is this all about? What's going on here?" And you say, "By its basic nature it's worthwhile." If you think that you can play in the finals at Wimbledon and at the same time work your BlackBerry, then you've got a little bit of the flavor of a presidential candidate.

I remember Marcia Aronoff, who was Bradley's chief of staff, when he ran for president she said, "Tell me what it's like." I said, "Well, I'm at a point of where I don't believe we're ever in control of things. The AA thing: give yourself to a superior being. I'm Catholic, I give myself up to God. If you think you're controlling your life, you're smoking dope. But presidential campaigns take that to a whole new level. Here's the analogy. You're standing on the banks of a creek that is in flood. And you have to get across to the other side of that creek. That's the job. So you jump in the water, and all of a sudden there's all these rocks in the water. You're dodging the rocks, trying to get to the other side. And then they throw telephone poles in the water, so you're dodging the telephone poles and the rocks. The idea that you can get to the other side is totally illusory. You're just trying to keep yourself from getting hit by a telephone pole or hit by a rock or drowning. You are a success if at some point you get to the other side" I said, "That's the way a presidential campaign is." God, when I got back after the presidential campaign, the reason I have curly hair is because some of the things the staff people did while I was away, there was a gigantic vacuum and people moved into it and were doing things they shouldn't have been asked to do. So running a Senate office when the senator is running for president is the easiest job in the world. It's like the Maytag repairman. You're never going to hear from the senator. Every once in a while there will be a vote on the floor that he'll want to know about, and you have to keep track of things to make sure that nothing happens that embarrasses you, but you can usually find a good person to do it. Alan Hoffman did it on our last race. He had formerly been chief of staff to the senator. He was very good and very special. We'd better go.

RITCHIE: Okay. I was just thinking that there are a lot of senators who run, but it's only the ones who say, "I'm going to spend my time campaigning" who get there. The senators who try to be a senator and run for president—

KAUFMAN: It's like: Okay, I'm going to play at Wimbledon but in addition to that I'm going to do my BlackBerry. It ain't going to happen.

End of the Second Interview