

TEACHING ABOUT CONGRESS

Interview #4

Thursday Afternoon, August 18, 2011

RITCHIE: We were talking this morning about the Clarence Thomas nomination and all of its ramifications.

KAUFMAN: Yes, there are a couple of things about Thomas I've just have to say. First, is that we were very fortunate to have had a number of extraordinary individuals on our Judiciary Committee staff over the years. This was the case during the Thomas nomination. The staff was led by Ron Klain who was the Chief Counsel and Jeff Peck who was the Staff Director. They were both exceptional individuals who did an amazing job for us and have gone on to have great success.

After Bork, people learned a lot of lessons, Korologos' rule and things like that. It's extraordinary that politicians get the reputation for saying whatever they need to say to get elected, and not sticking with their positions. I have not found that to be the case. Most politicians I know are super careful about keeping track of their promises and meeting their promises. But Supreme Court justices are quite to the contrary. Since Bork we've had very few Supreme Court nominees who have been candid during the hearings. Thomas testimony was probably the most egregious. One of the most moving parts of the hearings was when he said, "At the circuit court my office overlooks where they bring in the prisoners to court. I've sat at my desk and looked out the window at those prisoners in their handcuffs and I think there but for the grace of God go I." Then he got on the Supreme Court and he and Scalia voted on a case of a prisoner in the federal system who was shackled hand and foot and beaten—the description of his injuries while he was chained were just awful—and he voted that this was not cruel and unusual punishment. I just think that there so many things that he's done since he's been on the court that are just so different from who he claimed he was.

RITCHIE: Well, we had talked about this yesterday, but we're approaching the time when you decided to leave the Senate in 1994. Senator Biden was moving into Foreign Relations by then.

KAUFMAN: No, he hadn't yet, he was still chairing Judiciary.

RITCHIE: But he had a significant position in the Senate, very well established. Why was it at that plateau you decided to step out of the Senate?

KAUFMAN: It was a very personal decision. I had decided that I fell into a category of people who wanted to be doing some work until I died, and I realized that in order to do that, to keep working, and because I didn't want to work at the level I was working at, I didn't want to continue to work 65 hours a week for the rest of my life, with all the stress of being a chief of staff. So I decided that while I still had the energy—because change is very stressful and it was going to take a lot of effort for me to put together the right combination of things to do, I should leave. I didn't want to go to work for anyone. Two rules I made when I left was: one, I didn't want to do anything administrative. I was totally burned out on doing things administrative. Two, I didn't want to do anything where I worked for anyone else. So what I did was put together five different pieces to this puzzle and do those, so I'd have some variability. Then I looked at the rest of my life as kind of rolling those five things as it suited itself, maybe as time went on reducing it to two or three. That was really what it was all about. I knew it was going to take a lot of energy, so I didn't want to stay around too long.

This happened to a lot of people. It happened to a lot of senators. You had Bill Bradley, John Danforth, and Sam Nunn, they all left in their 50s. I think some of the older senators, when they left, they were just too late to really do anything else. So they just retired. I didn't want to be in that position. So that's why I left then.

RITCHIE: Then you went down to Duke?

KAUFMAN: What I always tell people who are getting ready to retire: start planning three or four years in advance, especially for teaching. The way academic institutions work, they need somebody to do a certain thing, at a certain time. There's a whole bunch of discussion about how do we fit it in. But once you get in and you're teaching a course, as long as you're doing a good job and you're keeping the students interested in it, you can just go on forever. During Supreme Court nominations, what we would do was we would bring in two lawyers who didn't work for the Senate, one usually was a constitutional law scholar and the other who was working for a law firm. For Bork we brought in Chris Schroeder, who is a professor of law at Duke, and a constitutional scholar. And we brought in Jeff Peck, who was a lawyer in Washington. Both of whom have been very successful and involved with us ever since. After the Bork

nomination was over, about 1990, Chris Schroeder came to me and said, "I want to teach a course at Duke on the Congress. Would you teach it with me?" I said, "I'm chief of staff to a senior senator, and I'm working 65 hours a week. I don't think I can do it, but let me think about it." I went home and I talked to Lynne. I said, "You know, I'm going to be leaving the senate in two or three or five years, somewhere in there and this would be a perfect piece to a puzzle." It's a little like when you're building a shopping center and you need an anchor store. I thought, this would be a great anchor store because I'd really like to teach at Duke. So I worked it out with Chris so that I could travel back and forth to Durham to teach the course. Since I taught it with Chris it did not require a whole lot of heavy lifting by either of us. I got all the enjoyment of teaching the course, plus Chris is a very good teacher, I learned a lot from him. I did that, and then when I got ready to retire I knew that one of the things I wanted to do was to teach at Duke.

What I did then, I was teaching one course with Chris on "The Congress". This was all in the law school for law students and public policy students from Sanford [School of Public Policy] came over and took the course, too. Usually it was half law students and half public policy students. Then I added a course for law students and MBAs on the relationship between government and business. I started teaching that in '95. So Lynne and I started moving to Durham for the spring, for January and February every year, while I taught those two courses. Why January and February? Because of the basketball season. We did that for a number of years.

Then, fortunately for me, Senator Biden and Senator Helms decided to reorganize the foreign policy establishment and decided to split up the U S Information Agency. Basically, half the people in USIA were in broadcasting, and half the people were public diplomacy, exchange programs and things like that. Biden and Helms set up a Broadcasting Board of Governors (BBG) so that broadcasting would be independent, and they set up the BBG as a firewall between the broadcasters and the rest of the government, so that government officials couldn't interfere in what the broadcasters were saying. The broadcasters were the Voice of America and Radio Free Europe, Radio Liberty, Radio and TV Marti. The Board had four Democrats, four Republicans, and the secretary of state. Senator Biden fixed it so that I was nominated by President Clinton and confirmed by the Senate. I went on to serve four terms. I was nominated and confirmed twice by George Bush. So that was a big deal. That was an important part of the puzzle. I did some consulting. After '94 a portion of my week was spent preparing for Senator Biden's 1996 campaign. So it was a good life. The big advantage was that I

wasn't doing any administrative work anymore. And even more important I could control my own schedule.

I worked for Senator Biden for 22 years, and after the first three years I don't think he ever ordered me or even asked me to do anything. I was driven much more by what he would *want* me to do, not what he was going to ask me to do. Occasionally, I would find myself in places where I didn't want to be, doing things I didn't want to do. So I enjoyed being in control of my schedule. But he was a great person to work for. If I was never going to retire, I would probably have stayed his chief of staff forever. And I still stayed very much involved with him.

One of the things I didn't do—it's like the old Sherlock Holmes story, *The Hounds of the Baskervilles*, the dog that did not bark in the night—I did not go into lobbying. When I started my search, I thought, "Well, I'm doing five things and one of them could be lobbying, I could make a lot of money. And I don't need a lot of clients." So I went down and started talking to former chiefs of staff who were now running lobbying firms. One of the things I found out very quickly was that a lot of the former chief of staffs had not maintained warm relations with the senators they worked for, even though many people in town thought they had good relations. What turned out was they said that most of the senators did not want to look like they were giving favorable treatment to their former chiefs of staff. In fact, the senators were bending over backwards not to help them, and that led to some bad feelings.

The second thing I learned was that none of the issues that I supported and would be willing to work for had the money to hire me. You really found out who has the lobbying business in Washington, and it was on the other side of just about all of the issues I favored. Then I also figured out, based on talking to the former chiefs of staff, that it would really limit my ability to continue to help Senator Biden, and I wanted to do that. I was committed to him and wanted to continue to do so. So I worked this out without lobbying and it worked out very well.

RITCHIE: When you started to teach about the Senate and the Congress, did that make you rethink the Senate once you were trying to explain it to students? How did the Congress appear from the outside?

KAUFMAN: Oh, really, I'm a Senate guy. I think the Senate is great. That

doesn't mean it doesn't have its failings. But the students were very good. It was very helpful to my job working with students. You know, so much of when you're working in any job, but especially in this kind of a job, is tactical. You're carrying around a pad with 40 things on it and you check them off at the end of the day. Then you have another list of 40 things, tactical things, and a lot of undergrowth of ideas. When you're talking to students, they don't know the undergrowth. They're very smart, so they look over it and connect the dots. I can remember one time I was giving my first class on campaign finance reform. It was a two and a half hour class and an hour into it they had figured it all out. That was the big thing where the students helped me while I was still working. I was still working for three years after I started teaching.

Also, you make a good point, having to explain it to the students, again smart people, sharpens what your views are. All those years teaching about the congress was a very big advantage when I became a senator—there were a number of big advantages, but one was I knew a lot of people. Two was, I said this for two years that the biggest advantage I had coming to the Senate, especially over the other freshmen, was I really understood that the Senate was a go-with-the-flow place. Governors especially have a hard time when they come to the senate. This is true of all governors, every one of them. As we said earlier, as governor they could set their own agendas, they could do what they wanted. Now they were stuck with the vicissitudes of a body designed for delay. So one of the big advantages I had when I came back to the Senate was, I understood what was important, but you go with the flow. That was really helpful. But also that I knew so many of the members, and especially the senior senators.

When I was preparing for the press conference to announce that I had been selected by Governor [Ruth Ann] Minner, I was thinking, she's going to stress the fact that I have all this experience, and that I know people and all that. Then I started thinking of the list of senators and between '94 and 2008 there was a lot of turnover among the senators. I looked down the list of senators and boy, there were a lot of senators I didn't know. I was puzzling over this, but I looked at the list again and all of a sudden it came to me. I said, if I was asked this question—because it's daunting to go before a press conference where they can ask you anything about anything, as Caroline Kennedy, when she thought about running for the Senate, found out, and as Sarah Palin found out, when you get up there, people can ask you anything. And the federal government can produce a lot of complicated, arcane and esoteric questions. One of the things I thought about was: Was the basic thing that Ruth Ann would say about me when she introduced me true? I came up with this, and it turned out to be

absolutely true. My answer, if I had been asked, would have been, "There's been a lot of turnover, but I know Senator [Daniel] Inouye who is chairman of the Appropriations Committee. I know Senator [John] Kerry who is chairman of the Foreign Relations Committee. I know Senator Leahy, who is chairman of the Judiciary Committee. I know Senator [Max] Baucus, who is chairman of the Finance Committee. I know Harry Reid, the majority leader." I never was asked the question, but that's what it turned out to be, the senior senators, especially Senator Leahy, Kerry, Levin and Lieberman, my committee chairs were great to me.

Right from the beginning I was on Judiciary and Foreign Relations. We can get into it later why I picked them, but Senator Kerry and Senator Leahy were just super to me. I also knew it wasn't just personal because I understood what they needed and what they wanted. I went to both of them on the first day and said, "Let me tell you something, Mr. Chairman, you call and the answer is yes." [Laughs] Then when I got on Armed Services, Carl Levin was fantastic, and Joe Lieberman on Homeland Security, so it was great. Harry Reid was wonderful to me. Inouye was great. That was important. I knew my way around, I knew the staff, and I knew the way the place worked.

But one of the things that really helped me, especially with the media, was having taught. There's two perspectives on things. I used the engineering analysis, which is if you have trouble with the water system in your house, you can go to a plumber. The plumber will come in and say, "Well, I can see what's happening over there, that's like a house I did two years ago. And I can see what's happening over here, that's like a house I did this year." They will use their experience to tell you, "What you need is this, that, and the other thing." That's very helpful. If you bring in a mechanical engineer to look at the system, they will want to go in and measure the flows and use the Bernoulli Principle, the Venturi effect, and do all these things scientifically. One's not right and one's not wrong. John Gardner who started Common Cause said that a society which values its philosophers and devalues its plumbers will be a society where neither its plumbing nor its ideas will work.¹ One is not better than the other, but when I came back after I had been chief of staff to a senator and had been teaching, I could explain things very easily. I

¹"The society which scorns excellence in plumbing as a humble activity and tolerates shoddiness in philosophy because it is an exalted activity will have neither good plumbing nor good philosophy: neither its pipes nor its theories will hold water." John Gardner, *Excellence: Can We Be Equal and Excellent Too?* (1961)

could put things in perspective, and I'm not just talking about how the Senate works but also the issues. If the press came to me ask why is this happening—kind of like you get asked historical questions—there were a lot of press that wanted to talk to me about the issues, but they also wanted to talk about what did I think was going to happen, and why did I think it was going to happen, especially in the 111th Senate because there was so much process going on.

RITCHIE: It's true that it's hard to predict the future, but there are certain patterns that you can see.

KAUFMAN: You are right, there are patterns. Recently, I told people that I had a pretty good idea about what was going to happen with debt limit. I wrote two op-eds on it and I pretty much laid out that this was going to be a lot more difficult than a lot of people were saying. Most members of the House and Senate really wanted to pass the debt limit because they were concerned about what it was, but the people in America did not want to pass the debt limit. Therefore, you could have the president, and Harry Reid, and John Boehner, and Nancy Pelosi, and Mitch McConnell sit down in a room and make a decision, but when it went back to the members, the members were going to take into account what their constituents thought, and their constituents did not want them to do that. And they didn't usually do things their constituents didn't want them to do—and I think that's right, they do represent their constituencies.

I said, "This is not going to be something where you can sit five people in a room and decide." And that's really what happened. It was clear to me that there would have been agreement on some of President Obama's proposals, but when Boehner went back to the Republican caucus he found out they weren't buying that at all. So I was pretty good at predicting what was going to happen. We got to the last three days and reporters kept calling me up and asking "Do you think it's going to happen?" I said, "We are totally in uncharted waters. We've never been in a situation like this before." Many journalists who were trying to report on it, they wanted to know that too, as I'm sure you know, because you do this all the time. "Well, no, there is no history on this. We've never been there before." One of the reporters asked me, "What are we going to do?" I said to him, "I don't know what's going to happen, but I can tell you what to write. Just write that the Congress of the United States is in uncharted waters and no one knows what's going to happen in the next three days. Anyone who says they know what's happening in the next three days doesn't understand the Congress."

RITCHIE: What did you find was the biggest difficulty in teaching about Congress? What was the hardest thing to get across to students?

KAUFMAN: The hardest thing to do recently in teaching about the Congress is a big change since 1991 when I started teaching. It's been absolutely ingrained in Americans as an article of faith that all elected officials care about is reelection. When you're trying to have a discussion about an issue, what Chris Schroeder and I have tried to do is use the course to give people the information so they could tell, going forward, why things are happening and the way things are happening. It isn't just a historical study. It's like, "What's going to happen with the debt limit bill? What's going to happen with healthcare reform?" So that as a viewer—a lot of my students end up in Washington, or in state legislatures, or in government at different levels—just how does government work? So you have a better idea of what is going to happen.

One of the things I've always stressed is we don't want you coming into class—especially the law students, but also the public policy students and the MBAs—where you are sitting off to the side watching as a spectator in the gallery watching the Congress. You're never really going to understand the place that way. You'll understand some of it, because a lot of journalists do that. But to really understand it you have to put yourself in a position as a member of Congress, and that's very difficult for people to do. Even back when we started the class, the students believed that the biggest problem in Washington was partisan bickering, and that interest groups have inordinate power. But they also believe that members only care about is their reelection. I'd tell them, when I met with students, and lots of other groups when I was a senator, "There's a contradiction here when you say that you think all senators only care about reelection." I say, "How many people in this room think that senators have big egos?" Every hand in the room goes up and they laugh because they know I was a senator. I say, "Then what you have to believe is that someone, not too different from you, decides they are going to be a senator. They go out through the process of a campaign, putting themselves and their families on the line, raising the money, kissing babies and all that stuff. And then when they get elected they come into office and tell their staffs, 'Okay, bring me the polling data so I know how to vote on this next issue, because I want to get reelected.' I said, "That just isn't the way people think." They do it because they want to make a difference. They don't do it just so they can be called senator.

My favorite story is about Fritz Hollings. They asked him when he was running for president, "What about vice president?" He said, "Oh, no, I've already ridden in a limousine." They don't do it so they can ride in limousines, because they don't get limousines. They do it because they want to make a difference. If they want to make a difference, that means they're not going to be slaves to whatever is going to get them reelected. Then I tell the Henry Hyde story, which is one of my favorites. Henry Hyde was famous for his anti-abortion positions and the fact that he chaired the impeachment proceedings against Clinton. But he did a great thing. They have an orientation program for new members in the House, and every Congress he would come to the orientation program and say, "The most important thing to think of as a freshman member of Congress, the most important thing if you want to be a success at this, is to decide an issue on which you are willing to lose the election." I think that is the best advice. If you could give just one piece of advice to an elected official, it would be that. Because if you don't, you can just fall into that category where reelection does drive everything.

I can remember that after Senator Biden was elected in 1972, in 1978, for a lot of reasons which I won't go into but which you can read about in any of the books, we had the largest desegregation case in history in terms of the number of people involved, and it became clear that Senator Biden could lose his reelection race. I remember riding in on the train together one time and the two of us were talking that the worst of all worlds would have been if he had come in in '73 and then done everything so he could get reelected in '78, and then lost in '78. It would be bad because you would lose, but what would be even worse about it is that all you would have demonstrated is that you could win a race. Really, the reelection is the vindication of the fact that at least on prima facie evidence you're a pretty good senator. Anyway, it's not been my experience that senators are like that—far from it.

But here's the problem, when this is an article of faith—and by the way, it's totally driven by the media. If you pick up a newspaper, like on the debt limit bill, you'll never read a piece that says, "John Boehner took this position because he really does think that we should not be raising taxes." Everything is put in the context of the motivation being politics and reelection. One of the other advantages of the course was one of the students as part of a project went back and looked at coverage of the State of the Union address by *Newsweek* or *Time* and documented the evolution of the coverage of it. I think it was *Newsweek* that on one of Eisenhower's State of the Union address, the only coverage they gave was they printed what he said. Over the years, the coverage

became less and less what the president said and more and more about analysis of his motivation for what he was doing.

There's another great anecdote on the same thing and that is when Ed Muskie was running for president and was in New Hampshire—not the time he cried, but another time—he was speaking to a group and he had a heckler. He called the heckler up on the stage and he allowed the heckler to say what he wanted to say into the microphone. We didn't have all the things we do now, like You Tube. I think the heckler spoke for two or three minutes. That night, CBS News ran it on the national news. That heckler received more time for what he actually said than any presidential candidate has received on national television since 1972. You have more and more analysis and less and less coverage. There's been this erosion. Now, when I teach the course, it's a constant battle throughout the whole course, because everything you talk about, the students want to put in the context of political strategy. Last semester, when we had health reform, it was very difficult to get the students to think that maybe the Republican senators really *cared* about this, maybe the Democratic senators really *cared* about this. Especially the healthcare reform, senators really had strong opinions on certain, not on everything, but I guarantee you that there was something in the healthcare bill that every senator had a strong personal visceral reaction to. It may have been that his mom was in an institution, or they had a kid that was involved in healthcare, or someone close to them had a preexisting condition, or got their healthcare cut off, or couldn't afford insurance. I guarantee you, there was something every senator would have voted on, it didn't matter about reelection, regardless.

Really, the hardest thing to teach, and by the way, to go back to sports and celebrities, people believe none of them are real, too. People don't think that movie actors, or baseball players, or senators are real people. Many have a superficial, cardboard opinion, and I think a lot of it is driven by the incredible growth in celebrity of performers of all kind. The two years that I was a senator, when I talked to people, and I'm not talking about people in Delaware because I talk to them all the time, but when I'm traveling and seeing people (and I saw this for years with Vice President Biden, when he was a senator), the response would be, "Well, you're not at all like what I thought you would be."

There's this wonderful study they did, I think it was [Mark S.] Mellman, the pollster, this was a number of years ago but I'm sure it's even truer today, they asked

about what people think about senators. They asked where they thought they lived. "Oh, they live in big homes with lots of servants." That's totally untrue. I mean, it's true for Jay Rockefeller and John Kerry, but it's not true for most senators. They asked, if you went to dinner at a senator's house what would it be like. "Well, there would be a big table with lots of food, and everybody would be very nice to you, and the staff and the senator would be very nice to you." And what would the senator be thinking? "The senator would be thinking, I can't wait for this thing to be over and have these people out of here." That's what makes it hard.

If you're trying to teach a course, especially law students but policy too, they're taught to do research and look at things from the outside and report what's happening, not as the protagonist, not the person on the field, or the Teddy Roosevelt quote about the person in the arena, suffering the slings and arrows, fighting for what they believe in, but more the person sitting in the stands watching. It's very difficult for them to do that. You almost have to stop every discussion and say, "Do you really think Harry Reid is thinking that right now?" You've been in Washington now," because the students have been in Washington and we encourage them to read *Roll Call*, and *The Hill*, and the rest of that. "If you read that," I say, "and see all the votes that Harry Reid has taken that are going to kill him in Nevada, and you still think he's doing totally everything to get reelected?" If you look at what Harry Reid did in our Congress, compared to what he needed to do to in order to get reelected—I'm not saying that there was nothing he did that did not help his reelection, but my God there were loads of tough votes he took—and he could determine whether we voted or not! He was the guy sitting there saying, "Well, we're going to vote on this or vote on that." He would set the agenda, I said, "You don't have to like Harry Reid. You don't have to like any of these men or women, but if you're going to understand what's going on, you've got to be a lot more realistic. They're a lot more like you, and they are driven a lot more like you in terms of what you would do." I would say to the student, "How many of you in this room would go to the Senate and just do what was needed to get reelected? I wouldn't."

The second thing with students, the big change between '91 and now is, there always used to be a number of very ideologically driven conservative and liberal students in the class. There used to be some student that whenever I asked for comments was going to take one position or the other. And boy, they've just dwindled off to practically none. I'm not saying that the students don't have opinions, they do. But you don't have the: "I'm going to go out to make Michele Bachmann president of the United States, and

I'm leaving in 15 minutes." Or "I read *The Spectator* or *The New Republic* every week and I really believe everything they say." You don't have as many students like that. They care, but you don't have students at the extremes.

RITCHIE: When you were describing the problems of senators having to make decisions based on what they need to do versus what would get them reelected, it reminded me of the first chapter of John Kennedy's *Profiles in Courage*, which is all about what do you do when your conscience or your rational examination of the issues clearly runs contrary to the mood of your constituents. Kennedy doesn't have an answer for that, but he suggests it's a continual problem for those in public office. I wondered, when you were teaching, did you find some authors more reliable than others that you would recommend? Were you teaching from experience or from books?

KAUFMAN: Oh, no, I could send you the syllabus, which would be helpful. No, we used [Roger] Davidson and [Walter] Olszek, we used their book [*Congress and Its Members*]. That's the text. Then we have Kathleen Hall Jamieson, a book she wrote with Joseph Cappella. Doris Graber. You can just go down the list of who's who. David Price. It's very much of an institutional course where you learn what the different theories are, most of them by academics.

RITCHIE: Do you find yourself arguing with the sources, or do you find the sources are pretty good?

KAUFMAN: Well, we pick sources we think are pretty good. We did put *The Broken Branch* in, by Tom Mann and Norm Ornstein, who I like a whole lot although I don't agree with some of *The Broken Branch*. We put that in because it's such a good book. But when we talk about the conflicts that members face, one of the big ones we talk about is *Profiles in Courage*. I would argue with Kennedy a little bit, and I think the world of him and I use the book and I encourage my students to read the book. That's a perfect example of what it really is, as opposed to what you read in the press, because there are lots of profiles in courage, people who cast votes that make you go, "My God, why?" But I don't think reading history would make it easier for you to cast a profiles in courage vote. I think a profiles in courage vote is the same kind of decision making it takes as if you were in someone's home and there was a five dollar bill lying there. You pick it up or you don't pick it up. The kind of decisions that everybody faces about what's right and what's wrong.

This isn't a bad time to go into one of the key things about the Senate. It's an insight that really is not mine, it came from Senator Biden, and that is one of the keys to success in the Senate, if not in life, is not to question people's motivations. Senator Mark Pryor got the freshman senators together, right after I came, and started talking about civility. As I've said before, I don't think civility is nearly the problem it's been in the past. The problem is the basic real differences that people in the country have. But I told him that if anybody wants to read about civility, they should read Senator Biden's speech when he left the Senate to become vice president. One of the things he talked about there, and has talked about a lot over the years, is never question a colleague's motivation. There's two reasons not to question motivations. One is, you don't *know* what their motivation is. Let's say that 50 percent of the time you get the motivation absolutely right, but when you don't get it right—and people will get upset if you question their motivation under any circumstances—but the 50 percent when you question their motivation and you're wrong, you have got yourself a real buzz saw. You don't know what their motivation is. That's the reason we have trials, you don't know.

Take my own personal example. Something happened that taught me how really important it was to have the kind of criminal justice system that we have, and to make sure that we honor it every step of the way, because we really don't know who's guilty. My personal example was from the '70s. I was home one night and we had been having some trouble. One of the kids on the street who was like 10 was having a tong war with one of our daughters, who was 10. They didn't like each other. It was Saint Patrick's day or something like that. About eleven o'clock that night and we were in bed when all of a sudden, "Bang!" Somebody had put a cherry bomb or a firecracker inside of our door. It blew the whole screen door off. Not the main door, the door outside. The next morning, somebody said they'd seen this 10 year old and he had some firecrackers. We were absolutely convinced that this 10-year-old kid had set off the firecracker. About three days later—no, no, it was much later—there was a family next door that we were very close to. Their oldest son was away at college. He was home and I was talking to him, and he said, "Boy that was really something on Saint Patrick's day." I said, "What's that?" He said, "The firecracker that blew the front door off your house. I said, "Oh, yeah, that was really something. I think we know who did it." He said, "Oh, really? Because I just happened to be standing by the window. I looked out and this car came down the street. Somebody got out of the car and went over and put the firecracker in your door. The firecracker went off, and they jumped in the car and went down the street."

RITCHIE: It was not a 10-year-old kid.

KAUFMAN: It was not a 10-year-old kid that had done it. Some things just bring it home to you. When you start questioning somebody's motivation, it's like that, it's like figuring out the 10-year-old kid. I used to tell the freshmen, "I think the single biggest thing to do to help civility"—although I don't think civility is the problem—"is just encourage all senators to stop questioning another Senator's motivation." I said there was another time there was a member—this was really very nice—a senator who came to me and said, "Can we go to breakfast sometime?" I said yes and we went to breakfast. He said, "I'm really having a problem. There's this one issue and I really, really care about it, but I think I'm alienating some of my colleagues." I said, "The answer is, you are." He said, "What do I do about it." I said, "Don't stop arguing your issue, but just look at your colleagues and listen to them. There's a reason why they say 'My friend from Indiana' and 'My friend from Illinois,' and they don't use pejoratives. Truer words were never spoken that in the Senate, votes make strange bedfellows. The senator that you may be totally opposed to, 15 minutes later may be your number one supporter." (Mark Warner who I worked with, it was really funny, we were working on this one issue, we worked on and we went down on the floor to have a colloquy about it. I think the same day he was down on the floor just ripping me on the substance of another issue. On the same day! You can't take this personally.)

So what I said to him—this was about the time of the healthcare debate, after the bill had passed. I said, "Did you see what Senator [Charles] Schumer did on the meeting we had after the healthcare bill was over?" I said, "If you notice what he did was, when we came into the caucus, clearly he was going to have the leadership take over managing the healthcare bill from that moment on." Max Baucus had been leading the fight as chairman of the Finance Committee, but clearly Schumer and the leadership wanted to take it back. So I said, "Did you see what Schumer did? He got up there and he praised Max Baucus at length, said positive things about him and called for rounds of applause, and then essentially said, 'Okay, but from now on the leadership is going to take it over. Max, thank you for what you've done.'" I said, "Now, he could have done it a totally different way. He could have gotten up and said, 'Max, you've really made a mess of this thing. The healthcare bill has taken way too long to pass,' and been honest about it. But he was honest about it, too. He didn't say anything that wasn't true." But I said, "I think that's the model for how you get along in this place. People make fun of 'My good friend' and all the rest of that, but there's a reason why people do that, and it goes mainly

to the fact that today's opponent may be tomorrow's ally, and you do not want to burn bridges with colleagues."

Just don't question your colleague's motivations. You don't know. Now, you can question their judgment. You can even question his or her intellect. You can question a lot of things about people, and you can be critical of a lot of things about people, you don't want to make it personal, but you can. But the one thing that's never questioned, is "The reason you're doing this is because so-and-so gave you campaign contributions." Oh, my God! If you know for a fact that's why they did it, if you've got it down in black and white that's why they did it, but many times, you know, as I said earlier, they believe something and that's an alliance with the people who contribute to them.

RITCHIE: I can remember talking to some of the people who were famous "head counters" in the Senate, and they said never take a vote for granted because there can be all sorts of personal reasons behind why a senator votes for something.

KAUFMAN: Exactly, and that's why I said I learned so much from that New Castle county executive primary in 1971, where I didn't count the votes right and my candidate lost. It is difficult when you've got a list of 50 people, and you sit down and try to predict what they're going to do. And the other thing, one of the things we use in the course is a book by Wolpe and Levine called [*Lobbying Congress: How the System Works*]. In it they say to be successful you have to listen carefully to what you are told because people sometimes want you to believe they have made a commitment when in fact they haven't.

It's great because it's really, really true. These men and women are experts at saying something and people walk away thinking "Well, he's for me." But he never said he was for you. He said, "It's a good idea." He said lots of things, but unless you've got somebody who looks you in the eye and says, "I'm voting yes on this bill," you can't be sure.

RITCHIE: That's like the secret ballots that are taken on leadership races. Members walk into the caucus convinced that they have the votes, and they come in third or fourth in the balloting.

KAUFMAN: Kennedy and Byrd race was famous. For me it all goes back to

what I learned in that first New Castle county race. Once you go through that—I mean, counting is a lost art, it's very difficult, but knowing how to do it is incredibly important.

RITCHIE: Moving on to the other things you were doing during this period, you brought up the fact that you were on the boards of directors of the government broadcasting operations, for Voice of America and other radio operations. What exactly did a member of the board have to do?

KAUFMAN: Yes, this is always difficult. It was the Broadcasting Board of Governors; four Republicans, four Democrats, and the secretary of state. They oversee broadcasters, one is the Voice of America. The VOA is the broadcasting arm we've used for over 50 years to broadcast around the world about America and our view of the world. It's much like the BBC. In many countries the BBC is more popular, and in others the VOA is more popular than the BBC. We've done that since the Second World War. What we determined as a country is that there was another whole different function of broadcasting, and that is broadcasting what's actually happening in the country. It's a little like when you turn on the 6:30 network evening news, you find out what's going on in the world, but if you turn on a half hour earlier you get what's going on in your city. So it was determined during the Cold War that in Eastern Europe in addition to VOA we needed to do "surrogate broadcasting." That is, broadcasting into those countries what a free press would be broadcasting about what's going on in those countries if a free press was allowed. We started Radio Free Europe and Radio Liberty, so that if there was a demonstration going on in Kiev, nobody would know about it because the Soviet media wouldn't report it, so we'd report it and sent it in shortwave. Or what was happening during the Prague Spring [in 1968], letting everyone in the old Soviet Union know that the Russians were sending tanks into Prague. Then we decided to have a radio and television station into Cuba after [Fidel] Castro.

When I came on board, we had just started the Broadcasting Board of Governors. It used to be that the broadcasters were part of the U.S. Information Agency and was part of our whole public diplomacy effort. But it was determined by Biden and Helms that really, broadcasting should be done separately, because for broadcasting to be credible it should be run by journalists. You didn't want government employees interfering with what the broadcasts were. Because there were many countries that the U.S. government wants to keep a good relationship with, but if you're going to report the news, the news is not good. Uzbekistan is a perfect example. In Uzbekistan we used their airbases to fly

into Afghanistan, the U.S. government had contracts with them, but Radio Free Europe/Radio Liberty would report on the fact that journalists were getting locked up there, and that there were demonstrations and the rest of it. So one of the Board's biggest functions there was to provide a firewall. We also decided, in the same bill, to start Radio Free Asia, which was the surrogate broadcasting into Asia. And then later on we started the Middle East Broadcasting Network.

Being a board member was like you were on a board of directors that actually ran the organization. You were the firewall. You made all the budget decisions. You made all the decisions. It was like a super board. I said many times I've had jobs that were more fun. I had jobs that were more technically challenging and interesting. And I had jobs that made a difference. But I never had a job where the three of them combined. It was just fascinating working with what kind of media mix do you need in each of these countries, how you deliver the media, what the programs should be about, all those kinds of things, and at the same time deal with how you get the things done, like transmission sites. We have shortwave transmission sites all around the world, all of them having problems with being in a foreign country.

I made a number of trips to Africa—not like trips like my friends take where you're on safari. When you're in Mali, in Bamako, or when you're in Niger, out in the countryside, or in certain parts of Botswana, or South Africa. I went to Kenya, Ethiopia, Nigeria, Ruanda, Eretria, Angola, and others because that's where we broadcast from. I used to say it was really great because when you went on a trip like that, and because Africa is in such bad shape, and people have so many problems, but the good news is that people listen to VOA in Africa. A lot of people listen to VOA. You'd come home and you'd have all these ideas about what to do. Not just about programing necessarily, but about how to make it better and expand listenership. There was just such a great feeling to be able to come home from a trip like that and feel like there was something you could do to make things better. It was true wherever you traveled. U.S. international broadcasting really can make a difference. But it was hard, and the traveling wasn't fun. We don't broadcast to France or Germany or any of the places you'd like to go.

RITCHIE: I had a Voice of America reporter come to interview me recently and she does Mandarin Chinese. They're very much afraid that their budget will be cut by Congress. It seems very shortsighted, but I'm sure there are political pressures from China—

KAUFMAN: No, no, the reason why they want to cut Mandarin—and there are people on the present board who want to do that—is because the Chinese jam everything we broadcast, very little of the broadcasting gets through. They're basically saying why should we spend so much money on China when it's not getting through. It would be better to spend it in the Middle East, or spend it someplace in Africa where it's not being jammed. It's not straight up pressure from China. I don't think pressure from China—China is really totally completely infuriating. I don't even like to think about it. Here China is with China TV (CCTV), and China Radio International, both being broadcast all over the United States, but they will not only not allow VOA in China, they jam it. We're just dumb, fat and happy. No reciprocity at all. But when you look at what China is doing—yes, that's the reason why they want to cut Mandarin, primarily because they say, "We can cut the budget in half and not reduce the number of people listening." The problem is it rewards bad behavior and encourages other dictatorships to jam our broadcasts

RITCHIE: When you were a senator you were active in lifting Internet restrictions. Was that an outgrowth of your work on these boards?

KAUFMAN: Absolutely, I started the International Internet Freedom Caucus. One of the big challenges for China is that the Internet is growing, and with it they lose control of all the information.. They do a lot of work to jam it, but it's very hard to jam it. For U.S. international broadcasting, this is a kind of Catch-22 because the countries you want to broadcast to are the most unfree and repressive and are the ones that are the hardest to broadcast into. So you've got this kind of Catch-22 that China and Russia are two of the places you most want to broadcast to, but they're the hardest to get your broadcasts through. But the Internet is an incredible tool for getting information to people who want to get it. In China, the Voice of America—without saying anything that's confidential—spent a lot of time and effort over the years to make sure that people in China get their programs on the Internet through the government blocking. There's a war—it's much like the battle that went on with the Soviet Union during the cold war, where they would try to jam our radio broadcasts and we'd come up with ways to get around it, back and forth. So what's going on in China is a constant battle between us and the Chinese government. They're blocking the Internet. Of course, the attempt to censor Google dust-up is just another public battle, but there's another very private battle going on. But the Internet is just incredible because—there's so many things in broadcasting that you would never think of, it's so fascinating but it makes everything so difficult.

You want to broadcast into a foreign country like Iran. You want to influence what's going on in Iran, you want people to know what's really going on in Iran, with the demonstrations and things like that. But you also want to communicate with the diaspora. You want to communicate with all the Iranians outside of Iran. Well, before the Internet you just broadcast into Teheran, and you couldn't get to the Iranians who were in Syria or the Iranian who were in Egypt. Now with the Internet, anyone in the world who wants to hear, in Farsi, what's going on in Iran, whether they're in Beijing or anywhere except the United States (and even in the United States they can do it) is go on the Internet and they've got it in their own language. It's the same way with all the different languages. If you are born and raised in Nigeria, you can get up every morning and go on the Internet and find out what's happening in Nigeria.

RITCHIE: Every once in a while when I'm interviewed on NPR, the first person who responds is my nephew in Tokyo.

KAUFMAN: Yeah, it used to be shortwave. People used to be able to pick up a lot of this stuff on shortwave, but now not many people do shortwave.

RITCHIE: You mentioned that the board of governors was equally divided between the parties. Was their general unanimity in thinking or were the meetings contentious?

KAUFMAN: One of the reasons why I took it is that international broadcasting is not partisan. It was the Biden-Helms bill that created the board. There really wasn't any division on the first board, there was turnover and everything was fine, and then we got a chair, Ken Tomlinson [2003-2005], who basically believed that the party in power should be able to dictate everything. There was some ideology in it, he was very conservative, but most of it was he wanted to name all of the heads of the broadcasters and everything else. By happenstance, he was also the head of the Corporation for Public Broadcasting. That was an elected position and he was essentially fired from that position for essentially the same approach. He used to say, "To the winners belong the spoils. A Republican is president and I get to say and the board members should go along with me." We ran on consensus until Ken got to be chair. Even then we didn't have that many votes, we had a few, and then Ken saw that he was going to lose so we stopped having votes. Then we got into this other thing and it was very unfortunate. I don't think the broadcasting suffered that much, but it was unpleasant. It was a perfect example of

personalities, people getting along and not getting along.

The secretary of state usually didn't come. The undersecretary for public affairs would come. What they did, after a number of years I was on, I think it was in '98 or '99, they decided, that was again Helms-Biden, to take the USIA and move it into the State Department. We convinced them that they shouldn't put broadcasting in the State Department, because that we would lose credibility and would make our position untenable, so they separated it out. And then after that, the undersecretary for public affairs would come, representing the secretary, which led to one of my great experiences. For a number of years Karen Hughes held that post. As you know, Karen Hughes was very close to George Bush and communications director at the White House. Somebody, again, who on most issues we wouldn't agree but on broadcasting we totally agreed, but, then again, just about everybody on the Broadcasting Board of Governors totally agreed. She's a very, very qualified person. I could see why George Bush wanted her in the White House. One of my great experiences was when she left as undersecretary she had a going away party at the State Department. I think there were five speakers. The first three speakers were, in this order, President George Bush, Secretary of State Condoleezza Rice, and Ted Kaufman.

Tom Korologos, who was in the Reagan White House, again someone outside of broadcasting I don't agree a lot with, he was on the board. David Burke, who was Ted Kennedy's chief of staff and went on to be head of CBS News, was on the board. Alberto Mora was general counsel in the navy and was one of the people who had spoken out against the Bush administration position on torture. Bette Bao Lord, Jim Glassman was a chair. Cheryl Halpern was a very prominent Republican, Norm Pattiz who started Westwood One, Jeff Hirschberg a very knowledgeable person, Joaquin Blaya who ran Univision at one time. It was a super-qualified board and a wonderful experience.

RITCHIE: I noticed that you were also on the board of directors of WHY Y here in Wilmington.

KAUFMAN: That's really Philadelphia, but you've got a good point, the license is in Wilmington. Wilmington, Delaware, does not have a commercial broadcasting station. WHY Y was, even though it's licensed in Wilmington, is headquartered in Philadelphia and run out of Philadelphia. They always have Delaware board members on it. So I was on that.

RITCHIE: Was there any connection between being on the board of—

KAUFMAN: No, it's totally separate. Under the rules, none of the broadcasting on U.S. international broadcasting can be broadcast in the United States. But what was good, the reason why I took it was because at that point I knew a lot about how broadcasting worked, about programing, how you made decisions. I think that's the reason why they picked me, because I understood the business and also knew Delaware.

RITCHIE: It's interesting that there are certain states that are in between broadcasting markets. New Jersey, for instance, is in between Philadelphia and New York, and Delaware is another one that doesn't have a station for itself. That must be a real detriment for a political campaign.

KAUFMAN: Oh, yes it is. It's much like New Jersey. The northern part of Delaware is out of Philadelphia and the southern part is out of Baltimore. At least in New Jersey there are some stations that broadcast out of New Jersey. The big ones are Philadelphia and New York. What has happened is as the cost of broadcasting has gone up and up and up in Philadelphia, it's made it very difficult for a challenger to win in Delaware, unless they were independently wealthy, because 94 cents out of every dollar they spend goes to New Jersey and Pennsylvania. It's like you said, if you are running for a congressional seat in southern New Jersey and you have to buy Philadelphia TV, they're faced with almost as bad a situation as ours. Even worse if you're in northern New Jersey and have to buy TV time in New York. It's another reason why Delaware is so much retail politics. The cost of television, frankly, even radio is very expensive.

RITCHIE: I noticed that you kept your hand in politics in Delaware. You were on the transition team for the governor in 2000 and you were on Beau Biden's campaign for attorney general. Was that ongoing?

KAUFMAN: Yes, I had known Ruth Ann Minner for years. Ruth Ann is a great story. The first time I met her was when I went to work for Joe Biden and was in the state. The governor was Sherman Tribbitt, whom I've said we helped to get the nomination. The governor's office used to be in legislative hall. The legislature was on the first floor and the governor's office was on the second floor. They had these wide steps. You'd walk up the steps and before you got to his office there was a receptionist

there. The receptionist was Ruth Ann Minner! That was the first time I met her. She went on to get elected to the state senate. Then she asked me to be on her advisory committee when she ran for governor. I was on that, and then afterwards I was on her transition team. So it was really more a labor of love. Ruth Ann, I really wanted to help her. Little did I think she'd ever be in a position to appoint me to something.

Then Beau Biden—I've known Beau since he was two or three. I'm just a big fan of him, so when he was running, I just cut back on some other things—that's the advantage of my model of having five things to do. I could say, "Okay, for the next year and a half, part of what I'm doing every week is helping Beau Biden get elected attorney general."

RITCHIE: I was going to ask if given the fact that your first campaign for Joe Biden was in 1972, and now you were helping the next generation, have campaigns changed much over that time?

KAUFMAN: Well, the big difference was Joe Biden was running for the Senate and Beau Biden was running for attorney general. Big, big, big difference. The Senate race is just bigger, with a lot more media attention and other attention. The attorney general race is—I could use the term "below the radar." It's not below the radar but it's a lot lower down on the radar than the Senate. By the way, the basic campaign is identical. And the budget for Beau Biden for attorney general was bigger than the original budget for Biden for the Senate. You still are doing the same things.

This is a good point to make about how visibility impacts on the substance of campaigns. It is a substantial difference if you're running for attorney general or for the Senate, only because there's a lot more press coverage, a lot more interest in the Senate, so it affects everything that you do. The classic example is Christine O'Donnell. When Christine O'Donnell ran against Chris Coons, it was a totally different race. It was the number one race in the country. It was a totally different Senate race in Delaware than if Chris Coons had run against Mike Castle. So when you get this kind of visibility, or lack of visibility, it changes things. It's easier to get volunteers when you've got the visibility, but you have to spend more time worrying about the media. It's harder to get volunteers when you don't have the visibility, but you don't have to worry as much about the media, just to use two examples. It's easier to raise money, but you've got to spend a lot more money. But the basic building blocks of the campaigns are more similar than dissimilar.

RITCHIE: Over time there was a lot more filing of public records on campaign finances. Has that complicated things?

KAUFMAN: No, it hasn't complicated campaigning. It means you're a lot more concerned about who your treasurer is. The public disclosure, and the ease of disclosure, you know the Center for Responsive Politics and the fact that anybody can go on for a Senate race and see who gave to you, and put together lists of bankers who gave to your campaign, and things like that. Clearly, the biggest changes have been not the mechanics but the raising money.

RITCHIE: When they were doing the remodeling in the Dirksen Senate Office Building, there was a question of why there was a safe in every senator's office. Bob Bennett stood up and said that he had been his father's administrative assistant, and back then when they built the building in the '50s, so many campaign contributions were made in cash that every senator's office had a large stack of cash on hand so they needed a safe to lock it. Now all of that's illegal.

KAUFMAN: Yes, that's exactly right, although the numbers now are just so much greater. If you went back and saw how much was spent on campaigns then, it wasn't a lot of money, even correcting for inflation and the rest of it. If you look at expenditures in real dollars, the growth has been exponential. Now, also one of the interesting experiences in my life was in 1980, when Joe Biden became ranking member on Judiciary. Judiciary Chairman James O. Eastland had retired and he used to be chairman of the Senate equivalent of the House Un-American Affairs Committee. It was called the Senate—

RITCHIE: Internal Security Subcommittee.

KAUFMAN: —Internal Security Subcommittee, yes. Mark Gitenstein was our chief counsel on Judiciary and one of the things we did right away was to go around and pick office space. We had to negotiate with Thurmond over who gets what offices. We went around and started looking at all the different office space, and we came to the space that was the Security Subcommittee. They had all these shredding machines working, and they had this great big safe down in the basement, and they were just taking files out and shredding them, because they had been in there since the heyday of the McCarthy anti-Communist hearings.

RITCHIE: Well, there are a lot of records of that subcommittee in the National Archives, but I'm sure there were more that never got there.

KAUFMAN: Oh, I can tell you—you may have suspected that but Mark Gitenstein and I can tell you there are a lot of records that got shredded. Because we watched them. They were shredding just as fast as those little shredding machines worked.

RITCHIE: That's one of the jobs of the Senate Historical Office, to protect and preserve those records, but a lot of it disappears before we can get it.

KAUFMAN: Well, Eastland was—when we passed the government in the sunshine rule where committee hearings had to be open, do you know what Eastland did? Eastland found a room over in the Capitol where you could only fit the committee and a few staff people. Every once in a while when something was not going his way, he would adjourn the committee and reconvene in this other office so that there would only be senators and staff.

RITCHIE: For all of his reputation, I hear stories about the fact that he could sit down over a glass of Scotch with a liberal senator—

KAUFMAN: Over a Bourbon and branch.

RITCHIE: With a Gaylord Nelson or a Birch Bayh and cut the deal, approve the judge.

KAUFMAN: Right. Joe Biden used to go over to his office. Joe Biden doesn't drink—he's never had a drink in his life—but he used to go over and sit with Eastland. Right now in Joe Biden's home he's got some pictures from the Senate. One of them is a picture of James O. Eastland with some farmer with a long beard and bib overalls, everything short of a stick of wheat in his mouth. They're just standing there. They're not looking at each other. They're standing together looking in the distance. He tells the story that he saw the picture in Eastland's office and Eastland said he's the Democratic chair in some county and "there isn't a vote that comes out of there that Clem doesn't send to James O." Joe asked him for a copy of the picture.

There's two famous stories with Biden and Eastland. One was when freshman senators were seen and not heard. Joe Biden had a strong feeling about campaign finance reform, and they had a caucus meeting on campaign finance reform, and very uncharacteristically for a freshman, Biden got up and told his story about the people out in Greenville who asked him about taxes—the story I told earlier—and when he got finished the room was totally silent. Eastland said, "Senator Biden, I understand that you are the youngest man ever to serve in the United States Senate." He was actually the second or third youngest. He said, "Well, you give many more speeches like that and you're going to be the youngest one-term United States senator to have ever served in the senate."

The other thing was the old Senate dining room across the hall that is for senators only—when I was a senator I found that very few people use it anymore because we have all the caucus lunches and so many other meetings at lunch—but back in the '70s the senators used to use it a lot. They have a number of tables, but they have one big table like they have in a lot of clubs where you just get your food and sit down at the table and any other senator may sit down at the same table. Senator Biden's reelection race in '78 was a tough race because of busing—people were opposed to busing and Biden was perceived as a liberal and therefore they thought he would be in favor of it. He was not in favor of busing. One of the things that I thought he was right on when I worked on his campaign was busing, because I really felt that busing was counterproductive. But the story goes that he came into the dining room one day and Eastland said, "Joe Boy"—he called him "Joe Boy"—"You're flunking the slope of the shoulders test." All the years that I was in the Senate, Senator Biden and I used to talk about people up for reelection. You didn't have to see their polling data, you could check the slope of their shoulders. I think that was the story, but he said, "You don't look good, Joe, what's wrong?" He said, "Well, Mr. Chairman, I'm in a very tough race and I really think I could lose over this busing issue." Eastland said "is there anything James O. can do for you". Joe said "Mr Chairman, there are places where you would help and others where you would hurt". Eastland said "Joe I will come in and campaign for you or against you whichever will help you the most."

[Interview interrupted by a lengthy phone call]

RITCHIE: I was building up to the fact that Senator Biden decided to run for president again, and here after some many years you went into another presidential

campaign, and I wondered if you could tell me some of the back story to that, about how he came to that decision. He was chairman of the Foreign Relations Committee and he had so much going for him in the Senate, why did he throw himself back into the presidential pool?

KAUFMAN: It's really interesting. I guess a year or so before that the *New Yorker* was doing a profile of him, and the thrust of it was: He's on all these Sunday talk shows, and he always sounds so authoritative, and so confident, why is that? I told the reporter that he's confident because he knows the issues. You get on one of these shows and you get asked a question, he knows enough to know what it is. A lot of the people who are on these shows, they know a lot about one area, but they don't know nearly as much as he does. Coming out of that, the reporter asked me, "Why is he still in the Senate?" There are a number of senators who retired, Bradley and Nunn, "Doesn't he think about retiring?" I said to him, "Senator Biden and I are about the same age (he's a little younger than I am) and when you talk to people our age, many people (and this is especially true about him and me) and you say, 'What do you want to do at this point in your life?' One of the things you'd like to do is you think at this point in your life you've learned something, hopefully, and it's the old give-back: take what you've learned and try to help people and help the situation." I said, "Senator Biden knows more about foreign policy than anybody in the country, maybe in the world, right now. He's been doing it for a long time. He's smarter than your average bear about it." I said, "The idea to be on the Senate Foreign Relations Committee and be able to use what you've learned, not just in foreign relations but in everything else, in order to help the world, that's a pretty compelling reason to stay involved in what you're doing."

I said, "He'd like to spend more time with his grandchildren and he'd like to do some other things, but I think his potential for being able to do good with what he learned is really high." He didn't run for president in 2008 because he wanted to hear "Hail to the Chief" and live in the White House. As a matter of fact, we had discussions about that as time went on. He went from someone who enjoyed going down to the White House in the Carter administration to someone who just didn't like to go down to the White House. He said, "It's just power, and that's not something that's attractive to me." But I think what happened was he decided not to run in 2004, and I think after that he pretty much decided that he didn't want to run for president in that he had a pretty good life. As you said, you hit a couple of the high spots, he was chief of the Foreign Relations Committee, he has some wonderful grandchildren, who lived close by so he could spend quality time

with them. Jill is wonderful and they have a great relationship. They haven't done a lot of things that they'd like to do because they've both been very busy in their lives. He's not a person that has made a lot of money. He could get out and make a lot of money.

But I think it's a little like how do you look yourself in the mirror? What did you do during the war, Daddy? Am I the kind of person that because it would be more fun or more interesting to not run for president—he knew there was an easier life if he didn't run for president. Jill agreed, but both of them were of the opinion that he had really a responsibility to try to do it. I think one of the most interesting things for me in the last 15 or 20 years of my life has been that more and more I've been able to internalize this "try" idea. What you're able to accomplish—I said to a lot of people in interviews when I first got appointed and people would say, "What are you going to accomplish?" I would say, "I'm going to accomplish everything I set out to do." Because I said, "I'm past the stage where passing bills or getting my names on bills matters. I'm old enough to realize that as long as I can go home every day and look inside of myself and say, 'Have I tried the hardest I can to do what I want to do?' That's all it takes. It's an incredible blessing."

Growing old is not a whole lot of fun, but one of the advantages of my age is you really can try. Joe Biden is the same way. What would he think of himself if he didn't even try to be president? But I'm not all sure that when the campaign was over—I mean, he's a very competitive guy, but when the campaign was over people would call me up like the next week or so and ask, "How's he doing?" I'd say, "He's doing great. He's out playing golf." [Laughs] I said, "He doesn't like losing, but the big blessing was we got crushed. It wasn't like we were sitting around thinking if we had done this or done that. We got crushed. In terms of not being president, that is not all bad. Being able to do the things he wants to do, and being chairman of the Foreign Relations Committee, is a pretty good gig. I think most of these people run—that's another example of the cardboard cut-out view people have of politicians, all they care about is reelection—they run because they want to be president. Who would want to be president of the United States today? Who would want it? Look at the pictures of Obama and the graying of his hair. Who wants to be president for personal aggrandizement? You want to be president because you have some ideas and some things you want to do and you do it. I think a lot of it comes out of an obligation to serve. It's the same reason why Barack Obama didn't go to work on Wall Street when he got out of Harvard and went to work as a community organizer. It's an extension of that. It's all about how you are hardwired about how important service is to you. And with Joe Biden, service is his life. It's an incredibly

important part, so that's why he ran.

RITCHIE: So there's 20 years in between those two campaigns in 1988 and 2008. How different was it running a campaign in 2008 as opposed to '88?

KAUFMAN: Oh, in a lot of ways it was much, much, much easier. It's never easy. But he was a lot older, a lot more experienced, and a lot more grounded. It was just the difference between running in your 40s and your 60s. He was very mature obviously to get elected to the Senate when he was 29, so he had been through a lot. So it was a very different campaign. Also he had his two sons, Beau and Hunter who were incredibly helpful. As I said, running for president is impossible, but he didn't have so many advisors, which was good in that first campaign but made decision-making hard, because you had so many smart people sitting around the table. I'm not talking about turf wars, but just trying to come to a decision about something. So decision-making was a lot more centralized and a lot easier. We had been through it all before and we knew what was coming. It hadn't changed much in terms of how you deal with the media, and campaign strategy in Iowa and New Hampshire, and how you campaigned in those states, how you raised money. Everything was pretty much the same.

RITCHIE: The Gallup Poll organization published a large book on the 2008 election [*Winning the White House*, 2008]. They started polling right after the congressional election of 2006, and the leading candidate for president then was "don't know."

KAUFMAN: Yes.

RITCHIE: It was about as wide-open a race as possible. But as it shaped up, the veteran senators in the race, like Christopher Dodd and Senator Biden, who had all this experience, didn't get the kind of traction that the freshman senator Obama and the relatively junior senator Hillary Clinton had from the start. The race pretty quickly got down to the two of them. What was it about 2008, that experience wasn't a major criteria?

KAUFMAN: Well, let's go down them one at a time. The thing was in '87, the candidates were called the seven dwarfs—and look what's going on with the Republican field right now. There's another accepted theory that says anybody that's been known for

more than 13 months in modern society never gets elected. Literally, they have the numbers to demonstrate that after you've been known for more than 13 months you can't be elected president. The Republicans have usually taken people who lost the last nomination and win the next nomination, Ronald Reagan, Bob Dole, John McCain, and the rest.

With all due respect, I think saying that Hillary is a junior senator is a totally absolutely misstatement. One of the things you learn in the Senate is very few senators are identifiable. I can remember when Senator Biden was in the Senate, for years the only senators people could identify were Bill Bradley and John Glenn. I'll guarantee you, in 2006, the only senator that the public could identify would be Hillary. So Hillary started out with an incredible lead. The equation was, there was going to be Hillary and there was going to be somebody else. Now, what happened was what always happens in these races. Somebody becomes the personification. Howard Dean became the personification in 2004 because he was the only one running who had not compromised with George Bush on something, so he was the only one who could get up and say, "I would never compromise with George Bush on anything," and completely, in my opinion, demagogue that issue, and pick up all the people that hated George Bush. So he rose to the top in Iowa until he and Gephardt got in a fight, and then Kerry came through and won the nomination and [John] Edwards came in second.

So you get to our race. First off, Hillary is the 300-pound gorilla. She's going to win. It's going to be poll to poll. Obama's not going to run. John Edwards, the previous vice presidential candidate, went out to Iowa and spent all of his time out there. By the time we got to Iowa, he had been in Iowa and people were committed to him. He had just worked Iowa like he was the senator from Iowa, and it really paid off for him because it gave him credibility in Iowa, and that gave him credibility nationally and helped with his fund-raising and all those kinds of things. The one unknown wild card was Obama. And it was just like how Joe Biden won in 1972, Obama turned out to be an *extraordinary* candidate. Whether he was a freshman senator or whatever, he just turned out to be an extraordinary candidate with an extraordinary campaign organization, like Jimmy Carter. He had Axe [David Axelrod] and [David] Plouffe and those guys. Axe and Plouffe ran the campaign much like Jody [Powell] and Hamilton [Jordan] ran the campaign for Carter. Two guys, which meant decision-making, this is it. [Snaps fingers]

Now why did we think we could win even when the Iowa race showed Hillary

and Obama ahead with big organizations and lots of money, and John Edwards being a very tight third? The reason why we thought we could win was a real simple concept, and that was: three is an unstable number. Whenever my children got together with two of their friends it would be this week Mary and Meg were against Jane, and the next week Jane and Meg were against Mary. You learn that three is a very unstable number. Number two, you look back at history, the past is prologue. In 2004, what happened? Well, if you look at the numbers, Dean and Gephardt were the prohibitive favorites going into January. I can remember that six weeks out, Kerry and Edwards were nowhere. They were just where Biden and Dodd were—in fact, I think Biden and Dodd were doing better than Kerry and Edwards were. Then what happened was Dean and Gephardt both felt they had to win Iowa. They got into a death spiral where they both started to run negative ads against each other. People in Iowa hate negative ads, so Kerry came through and Edwards streamed right in behind them, and they won.

I saw the same scenario. The way I described it to people was it was like a horse race that was only three horses wide. There was no way you can get around until one of the three horses falls back. At some point one of these three horses will go negative. It will hurt them and it will hurt the other two. It's going to be a free-for-all at the end. We'll go to the wire, we've got a good organization in Iowa, and Biden wins. So with 30 or 45 days out I saw this scenario. As we got closer, it was clearer to me that all three of them were reading the polls too and realizing that they didn't want to repeat what Dean and Gephardt had done. But I still thought the competition would drop to two at some point. That's essentially what happened. We would have done a lot better in Iowa—if the turnout had even been double what it was before, we still would have had a lot of delegates. The problem with Iowa is once you get further down the line you lose delegates almost exponentially, not arithmetically. I remember in the district I went to, when I saw how many of our people showed up, I figured we were going to get three or four delegates out of fifteen or something like that. Then the doors opened and my God they poured in! In the end, we got no delegates. The numbers were such that the way the process worked, we ended up with no delegates, even though we had what in 2004 would have been a good number of the people there. Again, it goes back to my thing about presidential campaigns. If you think you're in control of what's going on, it's illusory. We were crushed.

RITCHIE: That Gallup Poll book also showed that for a long period from 2007 to 2008, that Hillary Clinton and Rudy Giuliani were the two frontrunners for the two

parties, for pretty much the same reason, because people recognized their names more than anybody else.

KAUFMAN: Yes, and people weren't interested. The big thing is that in 2007 no one was interested in presidential politics except for 400 people who were totally obsessed with it. So it really isn't about recognition.

RITCHIE: But then, after that candidates have to stand on who they are, and the negatives turned out to be very high, as well as their name recognition.

KAUFMAN: Well, Hillary to be fair, in my opinion—you can look at the Gallup polls and the rest of it, but in my opinion Obama just ran a fantastic campaign. It was hard for Dodd and Biden to get a larger percentage of the vote—because Hillary was going to get her vote. Hillary's vote was there, they knew Hillary, they wanted to vote for Hillary, and so Hillary got her vote. The problem for her was the same as for us, which was that Obama got this incredible vote and then it turned into a race. Now, once it was a race, then the flaws in the Hillary Clinton operation, and theory, and everything else, just went to pieces. If our race in 1987, we had a great big head with little spindly legs, Hillary had a head like this! [Throws arms out wide] I mean, she had every goddamn consultant. She had the whole Clinton brain trust, with 47 million different ideas and opinions on everything, running the campaign. It was the campaign from Hell.

I had a good friend who was not involved in the campaign but knows Hillary well. I used to say, "Whenever things got bad, I thought 'Oh, thank God we're not in Hillary's campaign!'" I remember David Wilhelm was our Iowa coordinator in 1987 and then went on to become involved in Clinton's campaign, and actually managed Clinton's campaign in 1992, and became chairman of the DNC. He was very helpful in our campaign, and we were talking about the Clinton campaign, because they had the "ragin' Cajun" [James Carville] and [Paul] Begala, and all the different people, and all the Hillary people, just a lot of talent in that campaign. He said, "The good thing for us [the Clinton campaign in 1992] was we just got ahead and we stayed ahead. If we had ever started down, the whole thing would have blown up." The beauty of the Biden campaign is even though we lost, everybody stuck together. People didn't leave, we stayed together because a lot of the people involved in the campaign had been with him for a long time.

RITCHIE: The interesting thing I thought was that even though Biden lost, he

acquitted himself very well in that campaign.

KAUFMAN: That's an excellent point. I told him right from the beginning, when we were talking about how difficult it would be. I don't know what it's like to go through childbirth, but contemplating a presidential campaign, if you are a consultant you are thinking, "Oh, boy, this is going to be great." But from where we were sitting, this was not something that you say, "I can't wait. It's going to be great!" It's awful. I said to him that "one of the real positives of this campaign is that you're in an incredibly enviable position right now. I believe the American people are looking for a candidate to nominate for president who they believe is telling them what he genuinely believes, the kind of McCain Straight Talk Express. When I sit in meetings throughout this campaign, you're going to hear me say time and time again on what positions you should take on issues, 'Joe, what do you think?' 'What do you think?' Because whatever happens, the single best thing you can say and do in an event is the best thing you think you should say and do." I said, "That's an incredible advantage in this campaign." And when you look at that campaign, that's exactly what Joe Biden did.

First of all, he knew more about this stuff than any of the other candidates running. Chris Dodd is close, Chris Dodd has been on the Foreign Relations Committee, but Joe Biden was the chair. Chris Dodd is great, but Joe Biden knew more than any of the rest of them. When you saw the debates and people were impressed, I think there were two things that impressed them. Number one, I often say this, the one thing Americans really know how to do is watch television, and Americans can tell a phony on television faster than anyone else. When they looked at that screen they saw things. They saw a guy who was incredibly knowledgeable about the issues, but not in a jargon way, not because he said big words. A lot of the cognoscenti and the people that follow this in Washington watched this and said, "Oh my God!" I remember when they did the panel on what's the most dangerous country in the world, they went around and said Iran, Iran, Iran, Iran. When they came to Joe he said Pakistan. They said, "Why Pakistan?" He said, "Well, if Iran is a real problem because they may have nuclear weapons, Pakistan is a problem because they already have nuclear weapons and the capacity to deliver them, and they could become a Muslim radical state. They could become Iran, only they've got nuclear weapons and the delivery vehicles." The guts it took to say that! Everybody else was saying Iran and the safe thing to say was Iran. Joe said Pakistan and anybody who was thinking said, "You know, he's right about Pakistan." And then they could tell that he was just saying what he believed.

I absolutely think that the reason why Obama picked him for vice president was because of watching him on the Foreign Relations Committee and going through the debates with him. This is a guy who is very, very knowledgeable and also self-confident, not in a bang your chest way but self-confident in that he's willing to say what he believes in.

RITCHIE: Watching the way vice presidents are chosen, there's often an impulse to pull somebody out of the hat who'll be a big surprise and draw attention to the ticket. But it seems to work better when the candidate has proved themselves on the hustings during the race for the nomination because then they don't have to prove themselves during the campaign.

KAUFMAN: They don't have to be vetted, and you don't have the Quayle problem or the Palin problem. But I think what's happened is—and I've felt this for a while before this race—and it's amazing how poor the punditry is. They still want to go with this "pick somebody who's going to give you North Carolina, John Edwards." If I was advising the person who was going to get the nomination for president of the United States, Barack Obama or anybody else, on their vice presidential selection, where it's been for the past 12 years, I'd say "Mr. Nominee, this is the first decision that people will see you make as a potential president of the United States. They'll be looking at that through a lot of different prisms, but the biggest prism and the biggest question they will have for you, Mr. Nominee, especially if you haven't been around for a long time, is: Is this a guy going to do what he believes is right for the country, or is he going to do the things that are going to get him elected and reelected? I think that your first decision should send a message that you're more concerned with governing."

Not to be critical of you, but just to make the point, you say "how he performed on the hustings." I would say, that's exactly what you don't want to do. You don't want to pick somebody that's going to be on the hustings. You don't want somebody who's going to give you a state. You don't want somebody who's going to help you in a political campaign, because they're really going to vote for you. Who you pick as vice president—now, I think Joe Biden was incredibly helpful to Barack Obama, okay?—but the big thing is, you pick Joe Biden and they say, "Delaware?" There's a great feeling in the country that goes back to 50 years ago when you wanted to pick a vice president who was going to deliver votes. You pick a guy with electoral votes? When he was running for president they would say, "Why, he can't win, Delaware only has three electoral

votes." I said, "Where you're from is totally irrelevant anymore. It doesn't matter anymore. You're 50 years out of date." But you pick Joe Biden, the guy who's most qualified to govern; you all of a sudden give yourself a great big shot in the arm of being a guy who's more interested in governing the country than you are in getting elected.

RITCHIE: What I meant was someone who already has a track record, the public knows who this is and they don't have to be introduced to them as someone who's going to be in the second spot. I think Bush did that with [Richard] Cheney, also from a three-electoral vote state.

KAUFMAN: I think you are right, the thing that happens is, and I think you're also saying in terms of the vetting is that you don't go through the beginning of the campaign where it's all about Dan Quayle or it's all about Sarah Palin. You want it to be all about Barack Obama. I think that was the main point you were making.

RITCHIE: Part of it is that a candidate has been out there and told everybody who they are.

KAUFMAN: And no one is vetted. I can remember one the saddest times I felt for a candidate was when the story about inhaling marijuana came out for Clinton. Clinton was actually in a press conference and said, "You know, I ran for governor of Arkansas and this was never an issue." I thought, you poor soul, if you thought that running for governor of Arkansas is like running for president of the United States! I know he didn't mean that, but the point is until you run for president—like when Bill Bradley called Joe up and said, "Why are they questioning my integrity?" There is no vetting.

RITCHIE: It's a little like when members run for the House and no one questions them, but then they run for the Senate and reporters look at their record differently. Then they run for president and reporters look at them in a completely different way. The same thing with the vice president.

KAUFMAN: Exactly.

RITCHIE: But by 2008, Joe Biden was a well-established persona.

KAUFMAN: Warts and all, absolutely.

RITCHIE: So, when he was being considered for vice president, did he have any qualms about the position?

KAUFMAN: Oh, yes. I think it's been pretty well reported that he didn't want to be VP. He had some rather serious considerations. What are the ground rules? One was that he was going to be doing something substantive, and the other was he was going to be the last person in the room with the President. Those are two pretty serious requirements, but he was not interested in being vice president. In the end, I think the only reason he allowed Obama to do his background checking was kind of the same reason why he ran for president. It wasn't that he wanted to be vice president. How do you look yourself in the mirror and say, "It was a terrible inconvenience? I'd rather be chairman of the Foreign Relations Committee, and that's the reason why I didn't do it." So I think to a large extent in the end it came down to an extension of the same decision he made to run for president. And I think a lot of it had to do personally with Obama: "This is a transformational presidency. And if Barack Obama thinks that I can help him be president, who am I to say no?" The campaign part of it wasn't that much. If he ran in the campaign and they lost, it wasn't about worrying about winning or losing, it was really about—not did he want to be a candidate for vice president but did he want to be vice president.

RITCHIE: Obama had been a member of his committee, on Foreign Relations. How well did they get along while they were in the Senate?

KAUFMAN: Well. But remember, Obama pretty soon was doing a lot of traveling. But they got along real well, and they got along real well during the debate. I think they liked each other's style.

RITCHIE: Obama also got along really well with Richard Lugar, when Senator Lugar was chair of the committee before that, so I wondered if that continued.

KAUFMAN: Well, Lugar and Biden got along very well, and Kerry and Lugar. Lugar, especially in his later years, has just been a model United States senator. By any definition of a great senator, he is a great senator. And again there are a lot of issues that I don't agree with Lugar on, although on foreign policy, and broadcasting, he's wonderful.

But that says more about Lugar, he's kind of special.

RITCHIE: I read that Obama's staff, when he first came to the Senate told him: Don't spread yourself thin. If you're going to go to a hearing, stay with it, don't just come in and ask a question and leave. Apparently the first time that Lugar really noticed Obama was when he realized that at the end of a hearing they were the only two senators left sitting at the podium.

KAUFMAN: And that's what I did. That's why I only took two committees (although at the end I wound up on four committees, but that's a whole other story). And John Kerry sat through the whole hearings. It would be Kerry and I, and Jeanne Shaheen was there a lot of the time, and others were there. But my basic approach was learn from the hearings. The hearings, if used properly, are incredibly informative.

Before Obama made his announcement on what he was going to do about Afghanistan, John Kerry put together an excellent set of hearings, and I sat through practically all of them. There weren't a whole lot of senators that did, although a number of them sat through some of them. We had a hearing right after Obama made his decision. A number of my colleagues came in, and I respect them and I like them but after they asked a question, you'd think, "Are you from Mars? You really would have benefitted from having sat in on some of those hearings." I think that's one of the biggest problems with the Senate now, the fact that they are beginning to correct it. They allow people on too many committees, so they're spread too thin. And you're allowed to chair too many committees, so you're chairing subcommittees and committees and you can participate and therefore you don't get the advantage of the incredible knowledge about what the hell is happening there. So you're operating on what you read in the newspaper or what your staff gives you, or something like that. You have a basis—but for something that's changing, like Afghanistan was, where there was dramatic change going on in terms of what the strategy is and how the whole place can work, you can't do the job right. What time is it?

RITCHIE: It's about twenty after three.

KAUFMAN: Oh, good.

RITCHIE: Senator Fulbright used to call his committee meetings "educational

hearings,” and his hearings may not have changed policy on Vietnam but they certainly informed a lot of people about what was going on.

KAUFMAN: I think that’s right, and as I said, John Kerry did an incredible job. The hearings he had on Iran, the hearings he had on Afghanistan, the hearings he had on Iraq, on so many issues he really did put together hearings that did affect policy and did affect the administration and were educational.

Now, in Judiciary we never have any hearings that are just educational. I mean, not that they’re not educational, there are some, but the bulk of the hearings are oversight hearings or they’re hearings about nominations. But there’s still a lot of information on Armed Services and Homeland Security, which I was put on later on.

RITCHIE: That raises a question about committees. It’s a truism that senators go on a committee because they’re interested in that particular issue—

KAUFMAN: Well, to oversimplify it, I used to say there are three reasons why senators select a committee. If you went to senators and asked them: “Why are you on this committee?” I think you’d come back with a range of these three things. One, you’d be on a committee that helps you back home politically. Two, you’re on a committee that you’re very interested in the substance of what’s going on. And three, you’re on a committee to raise money. It isn’t just they have an interest. I have tried so hard with senators and staff who ask me. I say, “Politics back home can cut both ways. If you’re interested in an issue, you’re just going to be so much more productive than the rest of it.” One of the smartest things that Joe Biden did was move from Judiciary to Foreign Relations when he did, I think it was 2000.

RITCHIE: In the 50-50 Senate of 2001, wasn’t it?

KAUFMAN: Yes. Because—and you don’t read this in the text but it was really true—he’d been on Judiciary for so many years and the chance to go and become chairman of the Foreign Relations Committee was like opening all these other presents, all these other issues. When he was chairman, we always used to sit down in the fall, when I was chief of staff, and even after I was chief of staff I’d participate in these meetings, and come up with a list of what are we not going to do in the coming year. Not what are we going to do, what are we *not* going to do. We quickly learned that if he’s on

Judiciary, Judiciary gobbled up a lot of time and Foreign Relations didn't. The first time the reason would be clear would be when the secretary of state is testifying in Foreign Relations and the Attorney General is testifying in Judiciary, and you're the chairman of the Judiciary Committee. That's a little scheduling thing that makes it clear that when you are chair of a committee you can't be as big a player on other committees—you can't go to the educational meetings of Foreign Relations, let's put it that way. Biden got a whole new lease on life when he moved over and was chairman of the Senate Foreign Relations Committee.

RITCHIE: Judiciary has a reputation of being a very polarized story, too.

KAUFMAN: Great story about that. When I came back to the Senate as the most junior member on the Democratic side, I was sitting there at the end of the table. The table turns around and there were so many Democrats that I was around the curve. I was sitting there looking at the Republicans. Chuck Schumer came by and I said, "Chuck, what the hell have you done to this committee since I left? I mean, look at that lineup! You've got Sessions and [Jon] Kyl and [John] Cornyn, and [Tom] Coburn. That's a pretty ideological lineup you've got over there." Chuck said, "Hey, look at our side." There was Leahy and [Dianne] Feinstein and [Russell] Feingold and [Dick] Durbin, and Schumer. It was like: "Yeah, you want to see ideology man? I'll give you ideology!"

Yes, the Judiciary Committee, as you know, more legislation passes the Judiciary Committee than any other committee. And the issues are so diverse. I remember when [Birch] Bayh was head of the constitutional subcommittee. School prayer would be on the schedule, "Okay, you want a constitutional amendment for school prayer? Let's talk about a constitutional amendment on burning the flag, let's talk about a constitutional amendment on abortion." It was like fireworks. Then you've got the Justice Department and all the civil rights battles that we had, not just on busing. It is the battleground for a lot of the social issues. Then of course there are the judges.

I don't think it was quite as polarized back when he first got there. The issues were difficult, but there wasn't as much emphasis on the social issues. There was concern about them, but they didn't have the visibility. We didn't have any of the confirmation problems that we have now, and that is really a constant sore rubbing at every meeting, whether to report someone out or not.

RITCHIE: Whereas Foreign Relations was a committee that senators with an international bent usually went on, which meant there usually was a lot of unanimity until Jesse Helms arrived and served as a counterpoint.

KAUFMAN: Yes, but he came around. I think there's a natural pressure in foreign relations to come around. The institution, and the reality of the job, and the idea that politics stops at the water's edge, and all that stuff, does push people. But right now you've got some very conservative members of that committee. [James] Inhofe is on that committee, and [John] Barrasso. There were a lot of conservative members, and then there was Barbara Boxer, and Chris Dodd, and John Kerry and [Robert] Menendez. On Foreign Relations there was little peace with Helms, but it was like my experience on the Broadcasting Board of Governors. After Ken Tomlinson left it went back to the way it had been. After Helms left, the Foreign Relations Committee went right back, especially with Lugar as chair. The same if Johnny Isakson gets to be the chair, or [Bob] Corker.

For years the Foreign Relations Committee had just one unified staff. Even now there's just incredible cooperation with staff. Again, if you look at the problem—of my statement of the problem with Congress is not civility but it's the differences in the country that are reflected in the representatives of the people—then Foreign Relations is where there is the least difference in the country over how we should proceed. Which is really interesting, when you think about it. It just shows you how the left has become so much more “un-angry,” mellow than it was in response to Vietnam. We kind of got it all out of our system in the '60s and '70s, and now the Republicans are going through it. But when you look at the reaction to Afghanistan and Iraq, it is truly, absolutely amazing to me that there haven't been sit-ins and things like that. Now, the biggest reason why it's not like Vietnam is because of the draft. Most of the people who protested the war were worried about the draft. As they say, “Where you stand depends on where you sit.” And “There's nothing to concentrate the mind like the prospect of hanging.” Well, there is something more—the prospect of being sent to Vietnam would pretty much concentrate the mind. But it is extraordinary that there hasn't been more outrage about Iraq and Afghanistan. When members get up and speak about it, especially in the House, but a lot of senators too, they clearly aren't happy. Clearly the electorate is not happy. But it's the foreign relations and it's the water's edge.

RITCHIE: I suppose when members of Congress speak today, they're not hearing the same response from their constituents as they were hearing back in the 1960s,

and '70s.

KAUFMAN: Exactly.

RITCHIE: And in the '60s and '70s members were hearing from their own children. You hear that story quite often, the fights over the breakfast table that took place.

KAUFMAN: One of the favorite stories I tell my staff is that in Joe Biden's Senate office, when you came in the door and turned the right corner, there was a third-grade picture of a tuna. His daughter, Ashley, got involved in tuna in the gill nets and the rest of that stuff in school, and by God, Joe came in one day and got started. He talked to Barbara Boxer and everything else. If there's one person that every tuna in the world that's swimming around should be thankful for, it's Ashley Biden.

RITCHIE: It's good to know they can have influence.

KAUFMAN: Well, they do. I had a case in my class about the Clean Air Act and the amendments to change it for all the exceptions that Robert Byrd wanted, the big battle between Byrd and Mitchell. I talk about how Byrd had been leader and then was Chairman of Appropriations, and about how this was the first big fight. I have a series of about 7 questions I would ask the students, "Are you for it or against it?" Then I would give them more information. The played the role of a Democratic senator who is thinking about running for the presidency, and the Sierra Club says they will not support you for president if you support the Byrd Amendment. (I'm thinking of Senator John Glenn.) You say okay, and now you are called by the Chamber of Commerce from your home state, they believe this is going to make them non-competitive, and they will never give you a campaign contribution for as long as they live if you vote that way. Now how do you vote? Usually it comes out they vote with Byrd. My final question is, it's the day before the vote and you're home, and your 11-year-old daughter wants to have a discussion with you. She tells you that they've been talking in class about this new act and how important the Clean Air Act is, or else we won't be able to breathe, and she's very thankful that you're the person that's going to lead the fight for the Clean Air Act, and she just wants to tell you how proud she is because every day she goes to school and they say you're one of the leaders for good. Now how do you vote? And they change their vote. Then I ask them the million-dollar question. I say, Okay all those who said

that you're going to vote with Byrd and against the Clean Air Act, what do you tell your 11-year-old daughter? You know the best answer I got to that? You don't say anything to your 11-year-old daughter. You go to her class and you explain to the class about the issues. But that's real life. Real life is your spouse. I guarantee there are a lot of senators when it comes to a pay vote who are between their constituents and their spouse.

RITCHIE: I'm sure that's not an easy choice.

KAUFMAN: Well, it is for some, but I'm just saying I'm sure there are a lot of spouses who care about how you vote on the pay raise bill.

RITCHIE: Well we're about 25 to, and we have yet to talk about your Senate period.

KAUFMAN: Right. What's your schedule for next week?

RITCHIE: My week is wide open except for Friday.

KAUFMAN: Well, why don't we try Tuesday?

RITCHIE: Tuesday would be great.

KAUFMAN: I think we could spend two more days on this productively. Why don't we put down Tuesday and Wednesday, and then we may not do Tuesday and Wednesday.

RITCHIE: Well, we'll do at least Tuesday and hold Wednesday as a possibility.

KAUFMAN: That's what I'm saying. Well, what do you think? Do you think we can get it done on Tuesday?

RITCHIE: Well, that depends. I want to talk about your Senate period, but then go back and discuss some broad questions in general. It just depends on how much it engages you and you want to talk about. I'm willing to come back.

KAUFMAN: Well, we have a few minutes before you have to make the train. Let

me show you the notes I've made. I have a whole big section on civility, which I think would be good to talk about, the George Packer article and the rest of that. Obviously, the accomplishments we'll go through. I would like to talk about the media. Being on the Senate Foreign Relations. Then we ought to talk about "hit the ground running," and beyond "go with the flow." Then you know what I'd like to talk about? I'd like to talk about late votes and the food in the caucus room. And then how did this happen? Why did you decide? What went on? I spoke to the chiefs of staff—I really had a great time talking to the chiefs of staff, but in it there's a lot of stuff that I think would be interesting. Two Supreme Court justices. There's a lot of it.

RITCHIE: I've got questions on all of these, but if we get to the end and I missed an area, that will be a time to go back over this.

KAUFMAN: I've got a lot of anecdotes. Some of them will just roll out, as they have, but some of them won't, so at the very end we can go through this list and do these one after another.

RITCHIE: That will be great. You know, each person remembers things in different ways and organizes them in different ways. I interviewed Frank Valeo, who was the secretary of the Senate who swore Senator Biden in the first time.

KAUFMAN: I know, he swore him in right down here in Wilmington, in the hospital.

RITCHIE: Frank said, "Give me a list of senators." I'd throw out a name and he'd have a story for every person.

KAUFMAN: That is a great idea.

End of the Fourth Interview

Photos on the following page, from top to bottom:

Senator Ted Kaufman with Senators Jeanne Shaheen and Bob Casey.

With Senators George P. Mitchell and John Kerry.

With Senator Amy Klobuchar.

With Senator Jon Tester.

