

SENATOR FROM DELAWARE

Interview #5

Tuesday Morning, August 23, 2011

RITCHIE: The last thing we talked about was the vice presidential campaign in 2008, and I noted that you were on Senator Biden's transition team, but also when you were a senator you introduced a bill about creating an earlier transition process. What was your experience in that transition that shaped your thinking?

KAUFMAN: First off, let me spend a minute on the selection. Senator Biden was reluctant to participate in the [vice-presidential selection] process. He had been through it a number of times. He'd been at the periphery, being talked about before. His basic approach was, "I don't think I want to do this. I don't want to go through the process." He did everything he could to find out—sub rosa—"Is this serious? Am I just one of 20 names?" The feedback was pretty strong, that Barack Obama had been talking about, for quite a while, selecting Joe Biden. He, after a lot of family discussion, said okay, they could tell Senator Obama that he would go through the process, which he did. He met with Obama in Minnesota, and said, essentially, "If I am your VP, I want to be the last person in the room on decisions," you decide and I will go with your decision, but I want to have a chance to give you my ideas at the very end of the process "and this has got to be serious, and the rest of that.

Then, as a little sidelight, I had two friends and we decided that we were going to take a course in motorcycle riding. We signed up for the course and the first day I was in the classroom, the three of us went. Then at three o'clock the next morning I got a call that Obama had picked Biden to be vice president. I never got to ride a motorcycle after that.

As soon as he was selected, he appointed Mark Gitenstein and me to be co-chairs of the vice-presidential transition team. Mark is a remarkably talented person who had joined the Biden staff in the very beginning, had been general counsel of the Judiciary Committee and stayed involved with us ever since. He and his wonderful wife Lib have become very close friends of the vice president, Jill, Lynne and me. He was a partner in the Washington office of the Mayer-Brown law firm. So, we started going to the meetings of the Obama transition team, led by John Podesta. I was amazed at the extent—it was like Germany at the end of the Second World War, and North Vietnam, I

mean there was this incredible infrastructure, a gigantic organization, totally below the media radar. It had to be kept below the media radar. There was one story at one point about it, which went with the standard line: "Obama is building this transition. He's measuring the drapes in the White House. He's convinced he's going to win." That was the one story you wanted to avoid, and the reasons why you didn't do transitions. McCain was faced with the same thing.

John Podesta had a group of about 25 people who used to meet regularly, at a law firm in Washington. And then there were 25 behind that, and 25 beyond that. Podesta had set up an operation where he had literally mirrored the government and had people all over doing it. I was incredibly impressed. And the other thing that was amazing was that the Bush White House was incredibly cooperative. I mean incredibly cooperative. Looking back historically, because we got a lot of historical data, it probably was one of the most cooperative transitions. That was Josh Bolton, because he was the chief of staff in the White House. That was probably his doing, and President Bush's doing. President Bush deserves credit for doing that, in my mind. But it all had to be kept below the radar.

Then Obama and Biden were picked. The convention was just surreal. To think that Joe, after all the conventions that he had been at, all the times we had been there, all the work that we had put into two presidential campaigns—for naught—and then Barack Obama wakes up one morning and says, "You're going to be our vice president." All of a sudden, Joe Biden, and Jill, and Beau, and Hunt, and Ashley, and everybody, are all on the stage. I remember David Strauss, who was a Senate chief of staff [to Quentin Burdick, chairman of the Environment and Public Works Committee], and then was in the Clinton administration. I passed him one day in the hall and he said, "Well, you passed the Hi David test." I said, "What's that?" He said, "When you see me you say, 'Hi David.'" All of a sudden you're an important person. And by the way, you *are* an important person. I never got used to it. In fact, frankly it took me a long time to get used to, after he was elected, that he was actually vice president.

In a strange way, it was even a tougher transition than seeing me as a senator. Clearly, it was a bigger shock that I was a senator than he was vice president. It was a shock to me, I guess seeing him do it, as opposed to not seeing myself do it. I can remember the first time it really finally nailed me. I was in Pakistan—Peshawar—and we went into the U.S. counsel's office. There on the wall in this not very big counsel's office, in a rundown building in bad shape, and you walk in the door and there's a picture

of Barack Obama and a picture of Joe Biden. I said, "Oh, my God, he is really vice president"

I've said many times that being a senator was truly historic. I've answered the question, "Did you ever dream of becoming a senator?" by saying, "I never dreamed about being a senator. I never thought about being a senator." I used to give this speech in my class and to groups who asked me if I felt bad about being a staff person—I remember Lynne one time asked me in 1973, "Don't you feel bad about being behind the scenes?" I said, "No, no, no." My father, in 1952, when Joe Clark became mayor of Philadelphia, he was one of the people who applied to be commissioner of welfare, and he became deputy commissioner of welfare in charge of children. He had a good friend, Max Silverstein, who was over at the house one time. I said, "Gee, isn't it a shame that Dad didn't get to be commissioner?" He said, "No, no, no, Ted, you want to be the number two, don't be number one." I'm not sure if that affected my whole life, but I never forgot that. You know, being number two is really good—the analogy I came up with, which fit me perfectly, was volleyball, with strikers and setters. When you look at a good volleyball team, people talk about the strikers, but without a good setter you're not going to be a good striker. Staff people are basically setters and senators are strikers. I said, "Most good setters are not good strikers, and most good strikers are not good setters." I felt comfortable with that. I completely revised that after being a senator. I'm absolutely convinced that most chiefs of staff I met would make good senators. Whether senators would make good chiefs of staff, I'm not quite sure, and I have no confidence that most chiefs of staff could win the election.

One of the stories I told the most, when I was in the Senate, was after I had been there for about two or three weeks I got on an elevator after a vote with three other senators, which is what normally happens after a vote. Mel Martinez, a senator from Florida, who later resigned, said, "Ted, tell us, what's harder, being chief of staff or being senator?" Without even thinking, I said, "Chief of staff." I could tell right away I had not answered the question properly. So I spent a lot of time thinking about it. I found that senators work harder. They work longer hours than chiefs of staff, although chiefs of staff work long hours. Senators are on call all the time. The media and others do call at home when you're a chief of staff at eight o'clock or nine o'clock at night, or on Saturdays and Sundays, when they want answers to requests, but it is the senators who have to be on the shows and parades and other appearances on weekends – staff shares the burden. You do shows, and you stay late as a senator for votes. When I was chief of

staff I used to get on the train at 6:30 practically every night. Joe Biden would be there until the Senate finished voting until he got on the train. But senators get a lot of fun things to do. We can get into that later on.

People used to say to me, "It must be great being chief of staff, you have a lot of fun." I would say, "No, you don't have a lot of fun. It's a very difficult job. But you never go home at night wondering what you're doing with your life." Being chief of staff was great, and I really do think it was harder. For instance, when I was a senator, I showed up at the wrong place, not any important or big things, but if from some kind of mess-up in scheduling, I showed up at the wrong room (which never happened to me, because my scheduler, Kathy Chung, was absolutely incredible), it wouldn't bother me that much. So what? But boy, when I was chief of staff, if they had sent Senator Biden to the wrong place, I would have been so upset—not with everybody else, just with myself. There's a lot more stress.

I remember we were at a meeting one time, this was like 30 years ago, and everybody was introducing themselves. Senator Metzenbaum's chief of staff got up and introduced himself by saying "my job is to worry." No one ever described a chief of staff's job better than that, because it is to worry. If you were chief of staff and you weren't waking up one or two nights a week staring at the ceiling, you really weren't doing your job. As a senator, I never once woke up at three o'clock in the morning. And the final piece is I had a wonderful chief of staff, Jeff Connaughton, who I had worked with for many years in different capacities. He went to Alabama and then had an MBA from Chicago, and went to Stanford law school, graduated near the top of his class, was in the White House counsel's office, and then law and lobbying firms. When he agreed to come to work for me, I put my hands on his shoulders and said, "Jeff, I was chief of staff for 19 years. I don't want to be chief of staff again." I used to sit in meetings and Jane Woodfin, my Legislative Director, who had been Joe Biden's legislative director for years, who I had hired way back when, a smart and wonderful person, when she and Jeff and I many times were sitting around, they'd start talking about something, and I would say, "Oh, oh, chief of staff, I'm out of here," and I'd get up and walk out of the meeting because I didn't want to deal with a chief of staff issues.

To go back to the transition, it was a wonderful transition but you had to keep everything beneath the radar. So when I got to the Senate, one of the things that was clear that was wrong with the Senate was the confirmation process. What everybody knew was

that there were a number of things that we should do. If you went back and read the last five reform commissions—every once in a while the Senate decides we’re going to have a reform commission. Adlai Stevenson had one when I first came—Adlai Stevenson III, the son of the presidential candidate, the senator from Illinois. He chaired one of them, and I used to get involved with them every time. One of the things that came up was that senators were on too many committees—we’ll talk about that again, but clearly that had gotten out of hand. It was bad when I left the Senate, it was horrible when I came back, so you had to do something about reducing the number of committees senators served on. They had gotten on to extra committees through waivers, so you had to cut the waivers back.

The second thing you had to do was something about the confirmation process. There were just too many confirmable posts. The Senate spent way too much time on it. Every committee had its questionnaire and its own set of guidelines. Being on the Judiciary Committee, let me tell you something, their form was so long—every time somebody came up with a new idea, it got added to the form. I remember when I went through the confirmation process for the BBG and had to fill out all these forms, I thought, “Oh, my Lord! I knew it was bad but I had no idea it was this bad.” So I knew that was really a bad situation. Max Stier, who heads up an organization for the advancement of federal employees [Partnership for Public Service], had pretty much put together a good program of what should be done. So what I wanted to do was introduce the idea of change in this area and build some credentials on it.

What I decided to do was start out with the Presidential transition, because working on the Obama Biden transition, I found out that the fact that it was all sub rosa made everything difficult. This was true even though people were allowed to go in and meet with government officials, thanks to the Bush administration. Then you hit election day, and you found out that it was crazy to put a whole administration together in such a short time. I tell my students, a lot of them are MBAs and law students, and they have business experience, I say, “You’ve just been hired to run General Motors at its height—only a thousand times bigger—and the day you walk in the front door of the headquarters, your top 2,000 managers walk out the back door. You have to carry on your labor relations, your finance, manufacturing, marketing, everything else, and your top 2,000 employees walk out the back door.” It’s just crazy. You also have to put together all the things you want to do.

So what I decided, in order to start this process, was to introduce a Presidential Transition bill. And I first asked and got very good support from—this is Senate 101—Joe Lieberman and Susan Collins, who were co-chairs of the committee on Homeland Security, which has dealt with this in the past. Then I asked George Voinovich, who served on the committee, and he cosponsored it with me. What I did was write a bill that said that the day after you were nominated by a major party, or by a minor party that reached a certain threshold, kind of the standard rules that are in existence to allow third parties or fourth parties or fifth parties to participate, that the GSA, the General Services Administration, would set up a space in Washington for you to go. You'd be able to get all the security clearances you needed. It would all be public. And you had to set it up. So now no one could criticize a candidate for planning a transition. I got support from John McCain and his people. I got a number of prominent Republicans and Democrats, people around DC, Donna Brazile, Ed Gillespie, Tom Korologos, Tom Mann and Norm Ornstein, John Podesta, just a lot of Democrats and Republicans around town. Ed Gillespie and Donna Brazile wrote an op-ed in *Roll Call* supporting it. Essentially to put in place this system, so the transition could hit the ground running and wouldn't be sub rosa, and therefore you'd be able to put all these things together in advance. Fortunately, it got passed in the Senate, and got passed in the House. It may have been among the last 10 or 12 bills that passed in the 111th Congress. It was great to write a bill and have it pass.

As I was saying earlier, it was historic being a senator, but I really felt at the time that the most historic thing that happened to me, probably in my life, was that just two or three days after the election of Barack Obama, I got on an airplane with Mark Gitenstein and Joe Biden and on November 5th and flew to Chicago, Illinois, and sat down with Barack Obama, Joe Biden, Mark Gitenstein, John Podesta, Pete Rouse, Valerie Jarrett, Jim Massina, David Axelrod, and Rahm Emanuel—just those people—and began to plan the Obama administration. I mean, I had to pinch myself. I thought this could be an incredibly important administration. We had run on change, and we were going to have critical change. The idea to be able to sit with them and talk about who the cabinet secretaries should be, what our economic policies should be, and what the priorities should be for the administration. I went out there, I guess, for four meetings. The last one was on November 19th, because right after that I was selected by Governor Ruth Ann Minner, who said she was going to nominate me. So at that point I stepped off the committee. But it was a remarkable, historical, incredible situation to be sitting in a room with eight or ten people and planning the Obama administration.

RITCHIE: What is the role of the vice president when a president is setting up an administration? How much does the vice president get to suggest? Does he get an area to work on or does he talk about things in general?

KAUFMAN: Well, we could probably spend a whole day on this, because the more I got into it, the more I found out about it, and the more I began to realize. The shorthand is that it varies. Every president can do it any way that president wants to. It's been done all kinds of different ways. You can tell from those names, Rahm Emanuel and John Podesta were involved in the Clinton administration, and the difference between the way Clinton did it and the way Obama did it was quite striking, based on their personalities and their modus operandi, and the way they do things. One of the things, again, having experienced in Washington, the vice president-elect had, when he met with Obama in Minnesota, and said, "Clearly, we don't know how this is all going to work out, but I just want to know that I'm going to be in the room when you make the important decisions, and I'm the last person in the room before you make the decision." Obama honored that every which way. That's really the key to how this one worked.

The vice president, I think it's been demonstrated, has had a very important role. I think it was unusual that the president would have a meeting to make these decisions and would invite the vice president—not only the vice president but have the vice president bring two of his staff people to the meeting. We were treated as total equals, Mark Gitenstein and I. Now, there's a separate question, and I'll just do shorthand on this, and that is: What is the role of the vice president? I've done a number of press interviews on this. About two years into the administration in 2010 they'd say, "Well, Ted, the vice president said that he was going to be this, that, and the other thing, but now his role is this and what do you think about that?" I said, "Well, if you want to go back and compare his role now and his role then, that's fine, but you've got to remember that his role back then is very difficult to articulate, because outside of "the last person in the room," what happens in any administration—now that I've been through this it's easier for me to see, I'm sure it's the same way in a corporation—is the president comes in and the first question you have to answer is: What's the role of the president? Then you pick the role of the vice president. Like the CEO comes in: What's the role of the CEO? Then, what's the role of the vice president for manufacturing? Barack Obama had a lot of experience in a lot of different things. What were the things that he was going to want to do himself? And then what was he going to pass off to the vice president, based on his and the vice president's talents.

In those early discussions, I said to the vice president-elect that I was absolutely convinced that he would have an incredibly busy vice presidency. First off, there were so many issues on the table that the president had to, and would, delegate a great deal. So you're not in a presidency where the president can handle all these things. Like Barack Obama knew a lot about foreign relations, he was on the Foreign Relations Committee, but I thought, "He's going to want Joe Biden to do a lot of foreign policy." But that wasn't clear at the beginning. So when you're vice president and people ask you what's your role going to be, one of the things you can decide is institutional. A big institutional decision the vice president made, after talking to a lot of people and studying history, is "I'm not going to have a portfolio." Al Gore had a portfolio. A number of vice presidents had a portfolio. He said, "I do not want a portfolio." And I think that was smart. He had so many interests and so many talents that to lock himself in—like Gore took Russia and then Reinventing Government. What Joe Biden said, "Look, if there's a project, put me into the project, but I want the project to end." Because there may be something coming up that's more important.

Really, when determining what the VP should be doing at any time you've got to use the old economic term that is what is the "highest and best use," for Joe Biden. After the president picks his priorities, you're going to want Joe Biden working on the next highest priority, the best use of his time at any particular time. We met with a number of vice presidential scholars. My basic approach, and you can ask the vice president about this, ever since I was on the staff, we'd sit down and do scheduling at the beginning of the year. I'd say, "The problem is not what we are going to do, the problem is what we are not going to do." When you're Joe Biden, as his committee assignments grew, there were so many things he could do. I would say, "We should brainstorm." The fun part is planning all the things you could do, which is what we did. But I said, "The hard work in this is selecting what you don't do, because if you try to do all these things that you're good at you're stretched too far.

In the discussions with the vice presidential scholars, we started talking about foreign policy, and one of the scholars said, "Oh, foreign policy, you know every world leader. You've been doing this for 35 years." I happen to think that Joe Biden knows more about foreign policy than anyone else, period. He went on the committee in 1976 and he literally has met with every world leader—and when they weren't leaders. He used to travel to the North American Alliance, where all the parliamentarians from around NATO would come. He's been through so many issues, he knows so much about

what's going on. So we talked about it, and this one vice presidential scholar said, "You should do nothing but foreign policy. With all the credentials and experience you have, you should do nothing but foreign policy." So then a little bit later we were talking about congressional relations and the lame duck sessions. "Oh, congressional relations, not only do you know everybody in the Senate, you know Nancy Pelosi and John Boehner. You should spend all of your time doing congressional relations." Then he did such a good job on the stimulus bill, he dealt with governors and mayors, plus he settled a bureaucratic food fight in the administration at one point and the president said to him, "Hey, would you go talk to the people involved and straighten this out?" which he did.

I said, "What you have to do is really simple to me." I'm an engineer and that's how I approach things, an engineer and an economist, where the two of them cross. "You've got to figure out what's the highest and best use of Joe Biden today" Or next week, something like that. Maybe going to Iraq is the best thing he should be doing." I can remember during the lame duck session, he went to Iraq and there was criticism that he wasn't back doing the lame duck problem because he was in Iraq. All he was trying to do in Iraq was end the war and bring our troops home, and Joe Biden knew all the sides. He knows the head of the Kurds, Jalal Talabani. He knows Prime Minister [Nouri al-] Maliki. He knows the Sunni leaders. He knows all the players, and they all trust him. They're all on the record as saying how much they trust Vice President Biden. The same thing in Afghanistan. So in the end, those meetings on what he did as vice president came down to, "I'm the last person in the room. I want to be there when the decisions are made. And no portfolio." That's pretty much the way it's worked out.

RITCHIE: While you were still on the transition team, before you had been appointed to the Senate, were you thinking about joining the administration, taking a job with Vice President Biden or somewhere else in the administration?

KAUFMAN: No, I was not. This again could be a long story, but it's essentially all the reasons I talked about when I left Joe Biden's office. I wanted to spend more time with my family. I wanted to have a series of jobs, a bunch of pieces that I could do for the rest of my life. I did not want to retire. I didn't want to stop and just spend time with my family, and play golf and tennis, and read books, which is good and a very important part about what I was doing till the day I died, and the ratios changed. With seven grandchildren, there's more family to see. Plus my three youngest are in London, the next two are in Detroit, and the two oldest are in Washington. Those are the grandchildren not

counting the children. So I wanted to have more time for family, and I think there are different stages in life. There's a time when you get more contemplative. As I said earlier, I wanted to get away from administrative work. I didn't want to work for somebody else. So I put together this wonderful model for my life and it was moving along just well, and I was not interested in going back to working 65 hours a week, or more. Not because I didn't want to work but because this was what I was doing and I was perfectly satisfied. So I was *not* going to go to work in the administration.

It's hard to explain this to people. You can explain it to people who are older, but it's very hard to explain to others who have this view that everybody in politics is just super-ambitious and would run over their grandmother in a car. It's hard for them to believe otherwise. The whole time I was in the Senate there were people who couldn't believe that I didn't want to run for reelection. It took them a while to figure out that I was serious. I wasn't going to run for reelection. I didn't want to run. I didn't want to serve beyond the two years. So I did not, and would not, take a job in the administration.

Then one night we were flying back from Chicago and Vice President Biden's son Hunter, his children are special to me, as special as they can get when they're not blood. Joe Biden always says "Blood of my blood." It's hard to believe sometimes that they're not blood of my blood, but they're wonderful young people. I hold them in the highest regard, and would do anything for them, Beau, Hunter and Ashley. Anyway, Hunter is riding back with the vice president and Mark and me, in the plane, and we started talking about who was going to take his place in the Senate. There were a number of names floating around. Hunter said, "Why not Ted?" He said all sorts of nice things about me, that I could hit the ground running, and the senators knew me. My initial response was oh, no. I wasn't taking a job in the administration; I knew the answer to that question. Being senator, that takes a lot of time and I had a lot of concerns about it. But I went home and started talking it over with Lynne.

I just had a lot of concerns. One was going back and changing my life the way it was. The problem with that was pretty quickly I was facing the same situation that Joe Biden was faced with. How do you look in the mirror and say you're not going to be something like this, because you've got a better life and you want to spend more time with your family. That's where he came out, and that's where I came out. But I also had a bunch of other concerns about being a senator. First off, I believe in the spikers and setters analogy I talked about earlier. I was a setter, not a spiker. When I had been a staff

person I really did not like talking to the media. As a senator I would have to do a lot of that, and that's not what I wanted to do. I was commuting to Washington, but if I got a place in Washington I'd lose connection with my friends back home. Just a whole bunch of things.

But, in the end, because of the fact that I'm hard wired for public service—I think I've already talked about this, but it's kind of key to how I view the world. I tell young people that we're all hard wired on a continuum with Gordon Gecko at one end and Mother Theresa at the other end. I had learned through my life that I was more towards the Mother Theresa end, that's the way it was, that's how I was hard wired. I went through business school and the rest of that but clearly trying to make a difference in my life outweighed other concerns. What it basically came to was the vice president-elect said, "Ruth Ann is going to call me. Do I tell her that you would be an excellent choice?" In the end, I said yes.

On November 21st—I remember the date—Lynne and I had packed our bags. We were going to London where my daughter, Meg, her husband, Tom and my three youngest grandchildren Calvin, Martha, and Lincoln live. Meg always points out to me that I sometimes leave her off, and just mention the grandchildren. But we were going to London. We had our bags packed. We were getting ready to go to the airport to fly to London for Thanksgiving. A large part of our luggage was filled with Thanksgiving things, because obviously they don't celebrate Thanksgiving in England. We make a constant effort to remind our grandchildren—a greatly failing effort—to remind our grandchildren that they are half American. The telephone rings, and it's Ruth Ann Minner, the governor.

I talked to you earlier about how well I knew Ruth Ann. I had known Ruth Ann for years, ever since she was the outside reception for Governor Sherman Tribbitt, and I had worked on her transition when she became governor. She called and said, "Ted, I've put a lot of thought into it, and I've thought of a lot of people, but I think you would really be the best choice. I'd like to ask you if it's okay if I nominate you for Senator Biden's seat?" I said that I already knew the answer for me. I thanked her and I said, "Sure, that's great, Ruth Ann, I really appreciate it," and all those things. I had always had a great relationship with Ruth Ann. And then I said, "But we're going to go to England for Thanksgiving. We'll be back in a week. Can we wait and announce it then?" She said, "Oh, fine, whenever you want to do it, that's fine. We'll hold off until you get

back from England." I then called the vice president-elect and told him about the governor's call, and there's silence on the other end of the line.

I've got to give a little background to this. Joe Biden and I had worked together for years, and I think he'll say, and I can say that we rarely approached a new problem the same way. It was different sides of the brain: me being an engineer and him being a lawyer. But the vast majority of times we ended up in the same place. The other thing was, I am an engineer and a business school graduate. My greatest happiness comes in putting together a plan for the next two weeks, two months, two years, and then implementing the plans step by step as we go along. I mean, I'm open to changes, and I say that nothing's cast in stone, but putting all the dominos out there and watching them fall down just makes me feel good. Joe Biden is someone who every moment of every day is trying to figure out: Is this the best use of my time? Now, I realize that he's locked into some things, but I'll never forget during one of his campaigns, we were distributing these brochures. It took us a long time to write these brochures. If you ever see them, they are very well written, very well done. I didn't have anything to do with writing them, so I can say that, but Valerie and Joe Biden, really wrote them. They're fabulous. They're funny and they're on point, and they took a long time to write. Then we had to rent a truck and have someone drive to New Jersey to get 180,000, and bring them back, and we'd have all the volunteers ready to distribute them around the state. I think this was the 78 or 84 campaign, but we did this in every campaign, at least the first three or four campaigns. So the truck was up there, it picked up the paper, it was coming back, we had people all lined up to come into headquarters from all over the state to pick up the brochures, and Joe Biden called Valerie and me and said, "I don't think we should distribute this." It was like, "What? I don't believe this." He said, "There's no point in putting it out. It was great when we wrote it, but things have changed and that's not the priority now, and we should just not distribute it." Boy, it just threw me for a loop. But we didn't distribute it, and he was absolutely, totally right. One of the great things I learned from Joe Biden was to temper the dominos instinct and think more about taking each decision separately and checking it out. It was one of the many big things that I learned from him, and it's really helped me in my life.

Anyway, there's silence on the other end of the phone. Then Joe Biden said, "Ted, I know you're scheduled to go to England for Thanksgiving, but do you really want this to hang around for 10 days? Do you really think it will stay a secret for 10 days? Do you think you ought to put off your trip to England and maybe what you ought

to do is have a press conference this Monday?" I thought for just a second and said, "As usual, you're absolutely right on this." [Laughs] "You put your finger on it, I do not want to wait on this thing." So I called Ruth Ann back and said, "Ruth Ann, we ought to do it this Monday." I could hear the sigh of relief on the other end of the line, "Oh, thank God!" [Laughs] So Lynne got on a plane and went to England before Thanksgiving and I stayed around. We didn't do it on Monday, I can't remember what it was but some big story came up and we didn't do it Monday. As I remember it, we did it on Tuesday.

There's one other humorous sidelights. I was home all alone. When you're home all alone at night you can think of all kinds of things. On Saturday night, I think it was, I woke up at five o'clock in the morning and thought, "I can't do this. The media's going to be a problem. I've never done this before. There's going to be incredible pressure on me. There's going to be all kinds of things I'm supposed to know. I've seen how different it was to be a senator, and I really don't think that staff can make good senators." And so on and so on. I called Lynne, because it was later in the morning there. I said, "I just can't do this. I've got to call Ruth Ann back and tell her I can't do it. I'm not a public person, I'm a private person. I can't do it." I called Lynne in London and started to go through it. She called my daughter Meg and said, "Meg, get on the phone, you've got to talk to your father." Meg is my youngest, my three daughters are wonderful and I go to them for advice all the time. It took a couple of minutes for Meg to get to the phone, she got on and said, "What's going on?" Both her mother and she talked me down off the ledge.

So everything passed and a week later I was in England. I had been there for a while, and finally Meg and I were alone one time. She said, "Dad, I've got to tell you this." I said, "What's that?" She said, "When Mom called me and said 'Your father wants to back out.'" She said, "I thought, oh my God, he is having an affair!" [Laughs] I thought, oh, yeah, right, life is simple. The other thing that was great about it was my youngest grandson, who was then about one and a half and just talking, when the whole thing went on. It was on CNN and on the news even in England. I was doing a press conference. His name is Lincoln, and Lincoln looked at it for a minute and then he went around the back of the TV looking for me, which is a standard thing with young people.

So okay, I'm going to do it. We're going to have a press conference. All of a sudden I start focusing on the press conference, and I'm thinking, "Wow, press conferences, they can ask me anything!" Fortunately, Margaret Aiken, who had been

Senator Biden's press secretary, and Alexander Snyder-Mackler, who was his press secretary, and my communications director, sat down with me and went through everything, which really helped. And then it was wonderful, my other two daughters, Kelly drove up from Baltimore, Murry flew in from Detroit to be with me, and my granddaughter Ginna, who was at the University of Pennsylvania came in from Penn, so I had all this support group.

But it was truly scary for several reasons. One is they can ask you questions about anything in your background or history, and it's on the air. I had never done a press conference before that I can think of, and I definitely had not done a press conference where there were so many cameras in the room. We were just getting into the You Tube generation, so you make a mistake to television and it goes viral on the Internet. It's totally different than making a mistake five years or ten years previously. One of my favorite sayings is there's nothing like the prospect of hanging to concentrate the mind. I was thinking: They could ask me just about anything! When I look at Caroline Kennedy's short senate campaign in New York, I look at the Quayle campaign, I look at the Palin campaign, I just don't know how people make the decision to do a job and then have a press conference when they know so little about what they're talking about. And then everybody's so surprised. I mean, Caroline Kennedy, I've met her, she's a wonderful human being, but to ask her to get up in front of a camera and deal with all the issues you have to deal with as a United States Senate candidate, or Sarah Palin as a vice presidential candidate, or even Dan Quayle, that disaster. So I knew how bad it could be, but fortunately I had a lot of help from people and a lot of support from friends who came down to the news conference.

And Ruth Ann was great. Another one of my concerns, just to give you an example of the kind of things that you think about when you're going into one of these things, here she was going to say, which was true, was that my biggest strength was being able to hit the ground running; nobody knows the Senate any better than Ted Kaufman; I had taught about it for 20 years; I had been there at work for 20 years; he's an ideal selection. When you're looking at it from a governor's standpoint, what would you rather have in Washington, for you personally? Would you rather have somebody who really knew what they were doing, could help Delaware, knew who to talk to about getting appropriations, or somebody who's new and has to learn the game? In Ruth Ann's case, by the time that person learns, Ruth Ann's going to be out of office. So there were a lot of practical reasons why it made sense to pick me. That was good. It was a

good storyline, and it overwhelmed the other line, which was: He's just getting picked because he's a friend of the vice president's. That was expressed in some of the early stories but died out quickly, thank God, because I think people began to believe the second story, which was I knew what I was doing.

“Hit the ground running” was based on the idea that “he’s worked in the Senate for 22 years and he knows a lot of senators.” But remember, I had left the Senate in 1995 and there had been a lot of turnover between 1995 and 2008, a lot of turnover. Just the value of sitting with people and talking about it—in this case this was something I came up with on my own—but you go through “What do I say about this?” “What do I say if they ask that?” and having people help me with that. So I came up with the answer to “Do you know all of the senators?” My answer would be, “No, you know there’s been a lot turnover in the Senate, and there are a lot of senators I frankly don’t know. I’m looking forward to meeting them, because they look like they’re good people. But one of the advantages is that among the senators I do know, I know Senator Pat Leahy, who is chairman of the Judiciary Committee, I know Senator John Kerry, who is chairman of the Foreign Relations Committee, and I know Senator Inouye, who is chairman of the Appropriations Committee, Senator Baucus, who is chairman of the Finance Committee, and that will be a big help.” Which was absolutely, totally true, and turned out to be even much truer than I even believed. All of those, and a bunch of others, were so incredibly good to me, not counting all the staff that helped—“One of our guys made it.” It was great.

RITCHIE: I’d like to go back to that press conference. What was it like facing the press? How well did they treat the story?

KAUFMAN: Oh, the story, they treated it very well. There was some of this “this is a deal.” There was this whole idea that Beau Biden was going to run. I had told Ruth Ann when she called that, “I will not run for reelection. Two years is great.” And the reason I wouldn’t run—after I was there I had a lot of kind people come up to me saying, “You’re doing a great job. Why don’t you run?” I was fortunate that most of the comments were positive. Some had the idea was that I was really a stalking horse for Beau Biden, and that I wasn’t going to run so he could do it, which totally was not the case. I said I wasn’t going to run. That story died when Beau Biden announced he wasn’t running. Everybody came to me and said, “Oh, you’re going to run now.” I said, “No. Did you listen to what I said?” I was just not running. My colleagues were great. Harry

Reid called me and said, "I know you said you weren't going to run, but would you reconsider it?" I said, "No, Harry, I'm not running." People on street and other senators said the same thing.

So I announced that I wasn't going to run. But the story was a good story. Very quickly the story went to "hit the ground running." Here's a guy who the day he starts is going to do it. It was easy for me to decide not to run for reelection. I think I said earlier about my discussion with Roland Burris, when he was making his consideration, after I made mine. I said, "You can either spend two years with 65 percent of your time running for election, not just money but organization and things like that, or you cannot run and spend two years as a United States senator." It was the easiest decision I ever made. I'd like to claim credit that it was a tough decision and I made the right decision, but it was a no-brainer to announce that I wasn't going to run.

Now, that being said, the press conference turned out very, very well. I was thrown a whole bunch of soft balls. I wasn't asked any tough questions. We have a thing in my family—we're all worriers to a certain extent—sometimes one of us "catastrophizes," which is the ultimate obsession. Take some little subject and the next thing you make it into a catastrophe. So despite my worrying it went very well. One of the things I found out, one of the biggest surprises of this whole process, and I'm always semi-embarrassed when I say it, but it's so true, I had not liked talking to the media at all. I had avoided talking to the media all the time when I worked for Joe Biden. I dreaded it. And then I became senator and did this press conference, and TV shows, and I loved it. It was the biggest surprise. It's really quite simple, it didn't take me long to figure it out, but when I was working for Joe Biden, if I screwed up, I screwed up Joe Biden. When I was senator, if I screwed up, I screwed myself up. And I was at a point in my life where you're very philosophical about what you're doing. So it really didn't bother me. But it was great from the standpoint of doing media because I'm a very competitive person. The opportunity to put my ideas out there and find the best way to put them out there, and being successful, which I was, fortunately, for a lot of reasons—a lot of it was just the times, and what I was, and what my strengths were, and what people were looking for, so I came off in these things very well.

What I learned was when you're standing in front of a TV camera, you really think hard. I went on a lot of TV shows, and I don't think there was one of them that I didn't come out without having a greater insight into the subject matter than I had going

in. Again, back to my saying that the prospect of hanging concentrates the mind, when you're on television these days, you know that you say something wrong you'll be on the You Tube hit parade, so it really does concentrate the mind. But I never once was nervous. I really enjoyed it. I looked forward to it. I can remember, it was really funny, when I was younger and on the Senate staff, the high point of a senator's life was to get on *Sixty Minutes*. That was really a big deal. In 2010, *Sixty Minutes* did a show on high-frequency trading, which I had been talking about a lot, and I'm on the show. I got a lot of comments after being on *Sixty Minutes*.

Later on in the fall of 2010—this is the truth—some of my grandchildren came to me and said, “Well, Pop Pop, we know you're important but you've never been on *The Daily Show*.” I said, “But I've been on *Sixty Minutes* and I've done all these other shows.” “Yeah, Pop Pop, but you've never been on *The Daily Show*.” So many good things happened to me over which I had no control. *The Daily Show* decided that I should be on the show [October 26, 2010]. You go to the show, and you go early. I'm there about an hour and a half before the show starts. I'm in the green room with Jeff Connaughton, my chief of staff, and Lynne was there, and Amy Dudley, who was the press secretary, and we are there for a long time. The way the show works, Jon Stewart comes down—and they told me this beforehand—and spends five minutes talking to you. He only had one guest a night, which I never focused on. It's a half hour show, so it's not like he has to do a whole lot of preparations. Just based on the questions the producer asked our press secretary, they put together this thick book. Jon Stewart looks at it, I'm sure, and then comes down and talks to the person and figures out what's the show going to be about.

He was great to me, and I enjoyed doing it. The big thing was, an hour and a half before and then on the show, never once was I nervous. I was amazed. If anybody had told me two years before that, I would have thought I'd be petrified, because *The Daily Show* is a tough show. It's not just getting on and making your arguments like on other shows. It's a funny show. I had seen very, very good senators not do well on some of these shows. Joe Biden always did well, but Joe Biden is Joe Biden, and I'm not Joe Biden. I was also concerned that basically there are a lot of negative feelings about the Senate and the Congress, which there should be, going back to the fact that people should be skeptical about the Congress, but they shouldn't be cynical. Well, Jon Stewart and *The Daily Show* are many times cynical. When he came in to meet with me, he said, “Washington is just a terrible place. All these things are going on.” I can't argue with

that, but I said, "You know, Jon, you're absolutely right. There's only one place worse." He said, "What's that?" I said, "In New York, it's called Wall Street." He said, "You're absolutely right."

My big worry was they were going to start attacking the Senate to be funny. I love the Senate. I think the Founders knew what they were doing when they created the Senate. I think what makes our democracy great is the Senate. I think, with the filibuster, the idea that you protect political minorities is the key to America. For years people have been saying, "take democracy around the world." They say, "democracy is about elections." Democracy is not about elections, elections are about majorities. What makes us great is the protection of minorities, and not just racial, ethnic, religious minorities but political minorities. In many countries, somebody takes over, Hamas takes over and just *crushes* everybody else. The same thing has happened to a certain extent in Iraq and Afghanistan. You win an election and then you rule. We're about the protection of political minorities, and the best protection of political minorities is the Senate with the filibuster. You've got to get 60 votes and the political minority can stop things unless you deal with them.

Well, that's a pretty esoteric argument to be making on *The Daily Show*. I didn't want to get into an attack, but it worked out very well. I'm sure there are people who love Jon Stewart and hate Jon Stewart, but he is really an extraordinary individual. It's just like I have a friend, Norm Pattiz, who is very big in radio broadcasting. He said, "Rush Limbaugh is in a class by himself—as an entertainer." I don't agree with Rush Limbaugh on anything, but this guy really knows his stuff. He said, "All the rest of them are okay, but Rush Limbaugh is in a class by himself as an attraction." He's the one who got conservative radio going, not conservative ideas, because this guy is so incredible. I think that's true, and I think the reason *The Daily Show* has been so successful is because of Jon Stewart. Now, I got a chance to meet with the writers and all the people on the show. They were great too. But this is a long way to get to the point that it was a big surprise. I never thought that I would go on a show like *The Daily Show*, that it would come out okay, and that I would so totally enjoy it.

The other point was that it is totally remarkable how many people watch *The Daily Show*. The number of people who came up to me on the street, not counting friends and family, who said, "I saw you on *The Daily Show*," was much higher than *Sixty Minutes*. Anyway, those were my concerns, and a big negative turned out to be a big

positive.

RITCHIE: There are some in political life, Sarah Palin comes to mind, who complained about the press and their “gotcha” moments. Did you ever have problems with the press in that regard?

KAUFMAN: You know, when I talk about the big surprises of being a senator, one of them was—it’s hard sometimes to explain it—but never in my wildest dreams thought that I would make it through two years as a senator of the United States and not have some issue which really engendered bad feelings from a sizeable proportion of people in Delaware. I never thought that would happen. Joe Biden was incredibly popular in Delaware but there were times, like when we went through the Panama Canal Treaty, when it was just a horror and there was a big chunk of people who were upset that he was voting for the treaty. Now, people say healthcare reform, and in Delaware healthcare reform was a big issue. But I talked to everybody and I never had people coming up to me in the streets, like they had occasionally when I was chief of staff, saying, “Why are you doing this?”

A big issue that could have been negative for me was credit card reform. There was a major credit card bill that was passed, and I had some concerns. Credit card companies are probably the major private employer in Delaware, so I was concerned about that, being from Delaware. That affected 25,000, 30,000 people. But there’s 600,000 people who have credit cards. So assuming that I would be for the credit card bill because we’ve got credit card companies in Delaware, even my representative function, talking about being a representative or trustee and what’s best for the country, I wasn’t quite sure that not having major reform of credit cards, so these 600,000 people didn’t have to pay these incredible late charges and have their interest rates change, I wasn’t quite sure that was going to work out. So I thought that I might have a real problem. I thought there well could be a credit card bill that I would vote against, which could make a lot of people in Delaware unhappy. Fortunately for me, the Federal Reserve came up with a whole program on what we should be doing. It was excellent. The credit card companies decided: We can’t beat this, so we might as well join it. So the credit card bill turned out to be an easy bill.

I was surprised by the fact that it was a very positive and smooth time for me. The vast majority of people were very positive about what I was doing—I would be hard

pressed to come up with an exception—I was down at the state fair and I went by the Republican booth, and there was a very conservative woman there who lambasted me. But I did not have people come up to me on the street to protest. I spent practically every weekend in Delaware, I was in Delaware a lot, and I didn't have people come up to me on the street saying, "Why did you do this?" really about anything I had done, which was another gigantic surprise to me.

So there wasn't anything that came up that the media went after me on. I think the media, nationally, and locally, and regionally, on the issues that came up, the financial issues, the foreign policy issues, the judicial issues, all the issues that I dealt with, there wasn't really anything negative. I had no negative stories, if you read my press for those two years. The vice president used to call me and say, "What in the hell is going on? I've never seen press coverage like this!" If I had bet I would have lost a fortune, because I would have bet there's going to be a period where the press is going to be on me and this is going to be negative. What happens with the modern press more and more is that a reporter will start with a hypothesis. They're so busy in so many areas, and there are so many complex areas, that most press people start with a hypothesis. And then, unfortunately, they gather primarily the data that supports this hypothesis, because "I've got to get this story written." So if you tell them something that doesn't fit their storyline, they don't want to put it in there because that opens up a whole bunch of different questions. I think the national press, to the extent that they were interested in me at all, and the regional press and local press kind of bought into the fact that I knew what I was talking about. I didn't say things that I hadn't thought through or that weren't thoughtful. The mix of issues that we dealt with during those two years were not issues that I didn't know what I was talking about. So I got, really, a free ride in terms of coverage.

RITCHIE: My sense of the press is that they're looking for somebody who can provide reliable information, and when they find somebody who does, they like to call back. So if you have a reputation in Washington as a good source of information, that stands you well.

KAUFMAN: Yes, that's true, but the other side of it is that, having taught the course and studied the media, if you look at the coverage they would much rather cover scandal. They would much rather cover personality, like *People* magazine. I remember, Joe Biden was in *People* magazine and I never had so many comments about him. So many people said, "I was in the doctor's office and I saw that story about Joe Biden in

People magazine.” Or, “I was on an airplane.” Nobody every subscribed to *People* magazine that I ever met. It was always I read it somewhere else. But that’s the area where people want to burrow in on. And they do have a very negative perception of members of Congress. They think members of Congress do bad things. So you’re running counter to what’s out there if you are positive about a member. So I don’t rate this to me, I rate this to an incredibly fortunate series of circumstances.

And you’re right, I know reporters call you because you’re the historian and they want to get the facts. Lots of press people say—I remember sitting in a meeting, Joe Lieberman and Lamar Alexander had a bipartisan breakfast group (we stopped meeting during healthcare). But for the first several months I used to go to it, and we started talking about what we should do about reconciliation with healthcare and the rest of it. They had brought the parliamentarian back—he had been there earlier.

RITCHIE: Bob Dove?

KAUFMAN: I can’t remember, a big beard?

RITCHIE: That’s Bob.

KAUFMAN: Yeah, Bob Dove. So we’re sitting there. There’s 12 senators in the room and we’re talking about the Budget Act, and there’s only two people in the room who were around when that passed, Bob Dove and me. So many times at the elevators, or at votes, or on the train, or at calls, the press would call me and ask me, “How does this compare with that?” “What did this do?” “How did that work?” So that part, you’re right, I think people thought I knew what I was talking about. That is always a good thing to have when you’re talking to a press person. They say, “Oh, yeah, Kaufman knows what he’s talking about.” I would like to think that after 22 years on the Senate staff and over 20 years teaching about it that I would know what I was talking about.

RITCHIE: Was there much difference between the Delaware press and the national press, in the types of things they were interested in?

KAUFMAN: No, not really. What we have now, which is a big change from ’73, is if you read a newspaper in Atlanta, Georgia, it would be a very different one from one in Washington, D.C., or Seattle. At the Newseum, in Washington, you can walk by and

see the front pages of all the papers and it's amazing how similar all the papers are. A lot of it obviously is driven by television. There's a woman, Elaine Povich, who wrote a wonderful book on Congress and the media. The last time I talked to her she was working at *Newsday*. She pointed out that the days are done when people would get up in the morning and look at the headline on their morning newspaper and say, "Oh, my God! Harry, we've declared war!" Those kinds of stories, like sports stories, when you write a newspaper sports story you assume that the people picking up the newspaper have already heard on radio or television what the results of the baseball game or the football game was and so you have to do analysis. So the questions that Nicole Gaudiano, who covered me for the [Wilmington] *News Journal*, asked, and people from the national media asked, really weren't very different. You didn't have to have two different stories. For that matter, when I was downstate, and I met with the downstate papers, the *Delaware State News*, and the *Coastal Press*, and the others—I don't want to leave anyone out—the papers and the media groups, WBOC-TV out of Salisbury, WDEL and WILM radio stations. They are very informed, and they're asking the same questions.

RITCHIE: One of the big stories at that time was about appointed senators, because there were so many coming in at once.

KAUFMAN: Yes.

RITCHIE: You were appointed for two years, and I think you expressed some sentiment that maybe special elections might be better. Have you thought more about that whole issue?

KAUFMAN: Yes, it's a good point. I came and said, when they asked me about it, that always it's better to have elected officials than appointed officials. Appointed officials are great for a lot of positions, but I think for senators, and representatives, and governors, mayors, that really it's better to have democracy, to have the people elect them. I thought that probably a special election would be better. And I still think that, but I would not sign on—I remember Senator [Russ] Feingold had a constitutional amendment to make this happen. We should leave appointment process up to the states. That's clearly something the states can make decisions on.

I did kind of change my position slightly. I was replaced by Chris Coons, who is very smart. But he had just finished a gigantic Senate race with Christine O'Donnell. I

understand there was more coverage of that than any other race in the country in 2010. He's elected, and then 10 days later he becomes a United States senator. He's done a great job, but I look at some of the appointed senators who only served for two years, and I don't know if the electorate isn't better served by picking an appointed senator. Paul Kirk, for instance, who was picked to fill out Kennedy's seat, it wouldn't have been at all bad if Paul Kirk had served two years. George LeMieux came in [to fill a Senate seat from Florida]. I'm not sure that if the governors choose wisely—and again this is self-serving—but I think you could pick someone who knows what they're doing in Washington, I think Paul Kirk in my experience comes to mind as someone who knew what he was doing when he showed up. For two years it might not be better having the governor select.

So I started out being very much in favor of having democracy pick the officials, but I'm not so sure that with two years it might not be better to have the governors pick someone who hits the ground running, is experienced, can concentrate on serving. And then Kirsten Gillibrand and Michael Bennet, both of who ran for election, did great jobs as interim United States senators. I do lean more towards appointees serving for two years and then not running, for all the arguments I've said before. I made a personal decision but it's good for society. Again, looking at Michael Bennet and Kirsten Gillibrand, who I think are going to be great senators, you've got to think that through, too.

RITCHIE: Well, with a state like Delaware it's also a little easier to have a special election than a state like California.

KAUFMAN: Yes, but my problem with a special election, even in Delaware, is that you have a special election, you put someone through a campaign, and then you throw them right into office. Probably, if they've gone through a special election they're going to run for reelection. Personally, I would not go through a special election with the idea that I was just going to serve for two years. You're going to weed out the field, so only people who are going to serve longer would run, which is not necessarily a good way to weed out. Then they do this campaign and bang they're in the Senate. I know what you're saying, California would be impossible, and Illinois and Florida, but even in states like Delaware, and Rhode Island, and Wyoming, I'm not sure it's a good idea.

RITCHIE: Even in those states, a special election would probably bring out a

very small percentage of the registered voters.

KAUFMAN: Oh, yes, although in small states, picking a United States senator is a big deal. But you would get a much smaller turnout, just like you get a smaller turnout in elections held in non-presidential years.

RITCHIE: Historically, a lot of governors have chosen to pick people who weren't going to run, in part so that would leave an open race for the nomination. That way they don't have to choose among the major players in their state. Someone once said that when governors make a choice they make one person happy and a lot of people unhappy.

KAUFMAN: Well, there's Napoleon's rule, which I found to be absolutely true, about patronage. According to Napoleon for every appointment you make nine people unhappy and create one ingrate. I hope Ruth Ann doesn't think of me as an ingrate, but based on my experience of appointments that have been made—not by Senator Biden, because he didn't make that many appointees—but having watched the scene and seen appointees, not only are a lot of people unhappy but you've got a lot of incredible ingrates, people who were not happy with the appointing authority.

RITCHIE: Well, you've been appointed and you walk into the U.S. Senate as a senator, after 19 years as a chief of staff, 22 years on the staff, what was it like that first day?

KAUFMAN: It was really extraordinary. What happened was we put together the swearing in and we were going to have a party. Lynne and I went down to Washington for the swearing in. Senator Biden had resigned from the Senate but he had not yet become vice president, so Dick Cheney presided over the Senate. Joe Biden and Tom Carper came to my swearing in and marched down the aisle with me, and I was sworn in. It was running late and I had a sizeable group of my D.C. friends and my Delaware friends waiting for me to come to the [re-enactment for photographers and guests of the] swearing in.

After it was finished, I was standing in the back of the Senate Chamber trying to figure out how to get out. Again, once more Senator Biden was in the moment and I'm thinking down the road. Senator Carper was speaking and I started to leave. The vice president grabbed my arm and said, "Ted, you can't leave while Senator Carper is

speaking.” And I know right away [snaps fingers], instantaneously, he’s absolutely right. So I listened to Senator Carper and remember, I had never spoken on the floor. The vice president elects grabs me and whispers, “Ted, when he finishes, pick up the microphone, right here” on one of the desks in the back “and say something nice about Senator Carper.” So Senator Carper finished and a lot of my friends and family are still in the gallery, because they’re not going to go down to the room—but the room’s full—until they see that I’m going to be there. So I picked up the microphone and said some nice things about Senator Carper, who is a wonderful United States senator, I could not have served with anybody better, who was so supportive every step of the way, and who’s such a good person. And I was so glad that the vice president was there. Then I went down and everyone is commenting, “Boy, you really looked like you knew what you were doing on the floor.” I said, “Well, you know, if you’re going to be staffed, you might as well be staffed by a vice president.” [Laughs]

The swearing in party was great. It was just wonderful to see my family and friends so happy. In some respects it was like being at my own memorial service. I mean, people were saying nice things about me that no one would ever normally say about me. The press was asking questions, and everyone else was enjoying the party.

I was on the Broadcasting Board of Governors for 13 years and the main time I would be in Washington during those 13 years would be for the board meetings. At Union Station, or downtown, or coming to and fro I would bump into people that I had worked with during those 22 years, and with a lot of them, at one point or another we had done very pretty intense things, we had been in foxholes together during wars for different issues that had come during that time. Former staff people, former chiefs of staff, interest group people, people downtown, people involved with the Democratic Party, former senators. I had said to Lynne, one of the things that really bothers me is this instant psychobabble about people, someone who says, “Well, I never met President Clinton, but I think the problem was with the way he was raised,” that kind of stuff. One of the arguments I always made was that Lynne and I have been married for over 50 years, and I think we know each other about as well as anybody has ever known anybody. We dated before we were married for a number of years. But she never ceases to amaze me, in terms of she’ll just say something.

She has had a very good life in Wilmington, a lot of friends, doing things she’s really interested in. Anyway, so long before this, in 2008, just coincidentally, I guess it

was after the Iowa caucuses and Senator Biden was out of the race, and his friends and family decided that after all these years of people thinking he was going to be president, he was not going to be president, turning our back and closing that door. What made it so ironic was that he did get to be vice president. I said to her, earlier, just in passing, "There are lots of people in Washington I really like. I'm not going to be part of any administration, clearly not any Biden administration. But I'd like to spend some time living in Washington, because there are people I bump into down there, people I see and a lot of friends," expecting her to say, "Okay, that's fine if you want to do it, but I've got a good life here in Wilmington." Instead she said, "That's a great idea." So it was a great surprise. Lynne just really enjoyed those two years. She met a lot of new people, got involved with the Senate spouse club and also spent time with old friends.

It was great to be in Washington. One of my favorite stories is, I had been in the Senate for about a month or so. It was dusk and I was walking back from the Capitol. I crossed Constitution Avenue and was walking into Dirksen, because that's where my office was in the beginning. This car came to a screeching halt. I can hear somebody yelling. I turn around and this guy has rolled down the window on the passenger side and he shouted, "I'm so-and-so from Senator Thurmond's staff." I had just got the Senator Thurmond's staff and couldn't hear his name. It was dusk, so I couldn't really see who it was. He said, "We are so proud of the fact that one of our guys made it. It's so great that you're a United States senator. I just wanted to tell you that." Meanwhile, it was a minute or two experience but you know what that intersection is like. Without anything more, he rolls up the window and drives off. I never knew who it was. But it turned out to be a wonderful two years in terms of seeing so many old friends. Being able to talk to them and seeing them happy, so many of the former chiefs of staff from both sides of the aisle happy. It was a very positive experience.

RITCHIE: Well, living in Washington was so different from your experience of commuting while you were on the staff.

KAUFMAN: Exactly.

RITCHIE: And yet, more senators now commute rather than live in Washington.

KAUFMAN: Yes, but they don't commute every day. One of the things that's interesting is that while everybody talks about how they commute, but they lose sight of

the fact that every night most of them are not going home to their spouses and families, because their spouses and families are back home. So they spend time together. They spend more time working during those hours, and they spend more time with their colleagues. Some of them live in the same areas as their colleagues. Clearly, one of the big negatives, though, is not having the families in Washington and the fact that senators spend Friday, Saturday, Sunday and Monday traveling back and forth to their home states.

RITCHIE: I was going to ask if the fact that your wife was with you whether that gave you an opportunity to socialize more in Washington.

KAUFMAN: Oh, yes. And as I said my wife got very involved in Senate spouses' club. In fact, she started a book club for the Senate spouses, which had never been done before. They chose books and started reading and discussing. And she made great friends. When people talk about partisanship and civility, I found a lot more partisanship when I came back but a hell of a lot more civility. People were friendlier. One of the nice things about being a senator is that once each year all the senators and their spouses have dinner together and have a speaker. It's a really nice event. Many of the spouses from around the country come in, a majority of them. Both times, as you know in life, your spouse is the one who sets things up. You come into a room and there aren't assigned tables. The next thing I know my wife has picked out a table. I think in the two dinners, there were tables for ten, and both times we sat with four Republican senators and their spouses, and we had a great time. So it's not civility, it's not because their spouses are away that somehow there's a bad feeling in terms of personal relationships, which is what civility is about. I found a lot of civility, and a lot more than in '95 when I left.

In '95, remember, we had gone through a tough pace. The approval ratings of the Congress were as low as they had ever been. I attribute much of it to—this sounds partisan, but I really think when you look at the data—now a lot of it was the House banking scandal. The Democrats had been in control of the House for 40 years and it probably was time for us to leave, so there was a lot of that. But Newt Gingrich had done a very effective job of attacking the House, but also attacking the Congress. If you look at the data, Chris Schroeder, who I taught with at Duke, who I worked with on the Bork nomination and is a professor at Duke Law School, who is now an assistant attorney general, and had been acting assistant attorney general in the Clinton administration, and

really a great guy, he and I started in 1995 a Center for the Study of Congress, in the Duke Law School, based on the idea that it's okay to be skeptical about the Congress and about power in Washington, but you shouldn't be cynical. I'd like to think that because of this, the approval ratings of Congress went straight up from there, but if you look at it, they went straight up after that, and the reason for that is because the Democrats, who basically believe there is a role for Congress, never really attacked the Congress when the Republicans were in charge of the House and Senate, as an institution. They attacked Republicans but not the institution. The Republicans did attack the institution, and in my opinion they went after the institution again in 2009. They decided that the way to reverse the horrible results for them in 2006 and 2008 was to attack the institution. But if you look back at the numbers in 1997 and 1998, the approval ratings started going back up again. We finally discontinued the Center because the approval rating had gone up.

In '94 there were a number of United States senators who were not civil to each other. I think some of it came out of so many senators coming over from the House, where it's toxic. Part of it was Gingrich's fault, in my opinion, part of it was the House Democrats' fault in the way they were draconian in the way they treated the minority, because they had been in power for 40 years. I talked about that earlier, they had been in power for 40 years and they never thought they would lose it. Therefore they didn't give the minority staff and they didn't treat them well. Then Gingrich was a very toxic person. I can remember very early on one of the things that started this lack of civility was Newt Gingrich had headed up GOPAC, which had been started by Pete DuPont when he was governor of Delaware in order to build a bench for the Republicans. One time, I think it was when Frank Luntz was working for him—he's a Republican pollster whose speciality was words and the power of words, he's brilliant, I've talked to him several times. GOPAC worked with Republican state representatives and state senators and state elected officials who then would come along and build a bench to run for Congress. He sent out the 35 words that should be used against your opponent, like "traitor" and "liar." It raised the level of incivility much higher.

Gingrich came in and then proceeded to really, according to the Democratic congressional people I know, do all the things that he had criticized the Democrats of doing. So people coming over from the House to the Senate during the early '90s were much more used to a lack of civility, so they brought that with them. But I think the biggest thing was, and I've never seen this written but it's my opinion when I look at the people who caused the problems, when I first came to the Senate staff, senators were

very courtly. They went out of their way to say positive things about each other. And the seniority system was ingrained as an article of faith, so the junior senators were not seen nor heard. You worked your way up the chain of command, kind of like at a law firm where you come in as an associate and you eventually get to be a partner. Or at university where you come in when you're not tenured, and then you work your way up to be associate professor and then a full professor. That's the way the Senate was. What happened was we as a country in the late '70s and '80s started talking about term limits. Term limits were very important at one point. In fact Tom Foley was Speaker of the House and one of the reasons why he lost his congressional seat, they say, was because he opposed term limits. I also think of that race as one of the things that's really striking about people's understandings of the process. According to the polling data at that time, as I remember it, 40 percent of the people believed that if the Republican beat Foley in the election he was going to become Speaker of the House. There was a lot of misunderstanding.

So they came over, and it's fair to say that when the term limit folks showed up they weren't interested in seniority. They weren't interested in the rules. Not only that, they basically believed as an article of faith, and they had argued that senators who had been in the Senate for more than 12 years were the problem. Robert Byrd was the problem. Dan Inouye was the problem. Bob Dole was the problem. That was not good for civility! Because if you've been through this whole process, to have the new guys show up who didn't believe in the process but also believed that you personally were the problem, because you were a "career politician" really didn't help civility. And part of it, I think, was personalities. There were a number of senators back then who were very abrasive in the way they approached things. I don't find that now. There are senators that I don't agree with, but when I first came to the Senate two of the most conservative senators, John Ensign and Sam Brownback, called me and said, "Would you have coffee with me and let's talk?" I went to a lot of the bipartisan group meetings. I just didn't find a lack of civility. I don't think during my two years I was treated in a way that I would say was not civil. We had differences of opinion.

Now, as I said before, one of the key things that I signed onto was the idea that you don't question someone's motivations. A lot of lack of civility that I saw on the floor sometimes was when a senator was questioning another senator's motives, especially in some cases where you didn't get the motives quite right there's a problem. But I just didn't find civility as a problem. My main reason why there is such a split is first, that the

Republicans in the Senate, under Mitch McConnell, it's clear now, decided to adopt the Newt Gingrich 1994 strategy, which was: If we do everything we can to slow down the Senate, whatever passes is not going to be good, because it's going to come out of this gigantic group in the House. You go back to George Washington and Jefferson, that the Senate is the saucer that cools the hot passions of the House. There's been a lot of legislation coming out of the House that the Republicans weren't going to want. The main part of the strategy was that basically if they stopped all legislation in the Senate that would be good for them because the voters would blame the Democrats who controlled Presidency, House and Senate for the gridlock, and would reward the republicans when they were up for election in 2010. So they started out early. What's ironic is they were successful.

Gridlock was a word I heard a lot when I was a senator, and since then I've read a lot about. You can say a lot of bad things about the Senate. You can say it's broken. But gridlock is a tough word when you pass more legislation than any other Congress did since FDR, and maybe more than FDR passed. Tom Mann at Brookings and Norm Ornstein at AEI are two of the people I look to as being really knowledgeable about the Congress who do not work for Congress. They say that more legislation was passed than any Congress since FDR, more than was passed by LBJ. When you look at the number of major bills that were passed it's clear to me that it was true. I mean, healthcare reform, whatever you think about it, you may not like it, but it was historic. So many other presidents, and majority leaders, and Speakers, had tried to pass healthcare and hadn't. So just that alone, but then you look at the Dodd-Frank legislation, which was historic. The credit card reform act. The stimulus bill. The Kennedy National Service Act. Lilly Ledbetter. The Defense Procurement Act. Just so many bills were passed. Any one or two of them would have been historic in my almost 40 years around the place, and then you just add them all up.

When you look at Chris Dodd and the major role he played in healthcare reform, and then the major role he played in Dodd-Frank, and then he got the credit card reform bill passed. I don't know anybody in my experience who was instrumental in passing three bills the size of those three bills. I said he should go right to the Senate Hall of Fame for having passed the trifecta. The only senator, I think, that ever did anything close to that, in terms of having the power, maybe not pass the legislation, that wasn't a majority leader or minority leader, was Scoop Jackson, who during the energy crisis in the '70s was thought to be more powerful than anybody else in the country. The problem

that we have is not that there's gridlock in Washington. Ever since I've been involved, polling data says that partisan bickering is the single thing that people don't like. Partisan bickering implies that there aren't real differences, and that if we could get rid of the partisan bickering everything would go together, and they point to September 11th, and how the Congress came together. Well, the Congress came together because the country came together, and if you were president you could do a lot of things because the country came together. But if you look at where we are as a country, on the major issues. Look at healthcare reform or the debt limit that just passed. The country is split down the middle. These are deep differences.

What's come out in recent data is that it isn't just the issues we're split on, but it is the fact that we live in communities with people who we agree with, that are not heterogeneous, in terms of positions on what we should be doing as a country, but are homogeneous in terms of being very conservative or liberal. I saw the other day, the numbers aren't exactly right, but if you looked at 1976, the congressional districts where the presidential candidate had won by more than 20 percent—you call those landslide districts—that in the mid-'70s 28 percent of the districts qualified as landslide districts. Then in 2008, almost 50 percent were landslide districts. So if you use the old terminology of "red" states being Republican states and "blue" states being Democratic, you now have red congressional districts and blue congressional districts, and you now have red communities and blue communities.

After the 2004 election, Charlie Cook was speaking to my class and one of my students said: "I looked at the data, and the exurbs, which are the places where people drive long distances out of the city to get to anything, Bush just carried the exurbs in big numbers. We should go after the exurbs." Charlie Cook kind of laughed and said, "Take a look at the exurbs. They weren't put there involuntarily. These are people who decided they didn't like the cities, and they didn't like the suburbs. They were self-selected. So you're not going to find that as a very hospitable group for Democrats to go after." So that's what's happened. I think we trivialize the problem by attributing it to civility. It is a much more difficult problem to fix than just having everybody sing "Kumbaya" and join hands and start liking each other. It goes to much more basic splits in the country.

Part of it has to do with media. People say, "The media is so partisan. Fox News is so Republican and CNN is Democratic, and MSNBC and the rest of it." My biggest problem with Fox News is not that they're Republican, but that they say they are "fair

and balanced.” I think one of the other problems in this country is too many people take something that is not true and just use it and say it. Clearly, Fox News is not “fair and balanced.” But I don’t have any problem with them being highly Republican. What happens is that more and more people are turning to the media, but it’s much more like the European situation. I travel to England because of my grandchildren, and you get your newspaper based on what your political positions are. You look at one of the things that’s so negative about where we are in terms of this thing is just how the media now supports and drives these partisan positions. I felt for a long time that the Republican caucus in the Senate was united and so negative about doing anything. It wasn’t just healthcare reform, it wasn’t just Dodd-Frank, it wasn’t just the stimulus bill, it wasn’t just confirmations. They didn’t want to pass anything. I think in the beginning it was kind of a strategy to adopt the Gingrich approach, but as it went on it reached the point where it was very difficult for the senators to stand up to the negative media, who would not let you alter your position. I think that’s a lot of what drove this recent debt limit fight, why Republicans would not accept any tax increases at all, under any circumstances. And the Republican presidential candidates, in the debates, oppose it, even if it was ten times spending cuts to one time tax increases, they wouldn’t vote for it.

RITCHIE: You mentioned earlier about some of the Republican senators calling you up and inviting you to coffee. When you met with a Brownback or an Ensign, were they looking for areas of common ground, some place where you might introduce a bill together?

KAUFMAN: No, in both of those cases that was not the case. It was just I’m going to get to know everybody because I’m going to work with everybody. It turned out Brownback and I started the Global Internet Freedom Caucus. We would have done that even if we hadn’t had coffee together. I have a couple of examples on the civility issue and Republicans and Democrats, and one was—which you can go and look at the C-SPAN tapes—was the stimulus bill, the Recovery Act. I presided for three hours the day that was voted on. The Republicans came down and ripped it to shreds, said there wasn’t anything good about it. The Democrats came down and said that’s what we needed. If you looked at it, you would think this was a civility problem, and you’re right, there isn’t a whole lot of civility.

It was right before a recess, and one thing that hasn’t changed about the Senate is if you’re going to have an important vote, have it before the recess, because if anybody

wants to get up and speak, there's an added reason not to get up and speak if you know you're holding up the recess. If you hold up a recess, it's kind of like when you're in Marine boot camp: one guy makes a mistake and everybody in the platoon has to do push-ups. If you speak and senators start missing their planes, not only do you miss your plane but you're not going to be very popular with your colleagues. So it was right before a recess and we had the vote, and I was just amazed after the vote, because it was a very tense vote—and it was the same thing with healthcare reform, which was a *very* tense vote, we did that sitting at our desks and there was a lot of tension there—boy it was like all of a sudden everybody was old friends. If you look at the tape, the Republicans are on the Democratic side, the Democrats on the Republican side. People are hugging. I got hugged by Bob Corker. The only thing I could compare it to is high school or college right before you go away on summer vacation. “Hey, Ted, what are you going to be doing on the recess? When do you get back? Hope you have a great time.” If you look at the tape, it's hard to make the argument that these people don't like each other at all.

The other example I use is when I was presiding one day and John Ensign came to the floor and gave a long speech about what was wrong with the D.C. bill, because they were going to eliminate vouchers. He had pictures of some very attractive students who were going to lose their ability to continue at private schools. It was a very good presentation. And then Dick Durbin came to the floor right away. Dick Durbin is incredible. He came down with no notes and started speaking. You could just write it down, whether you agreed with him or not. The other guy like that was Senator [Byron] Dorgan. Those two could go to the floor and start talking. No notes. The other person like that was Arlen Specter. I sat next to Arlen Specter during the Sotomayor hearings. He came in and they gave him his book. He looked at his book and he got one of those little Senate pads and started writing notes down. Then when it came time to question Sotomayor he questioned her for half an hour, just based on those few notes he made. It was really extraordinary. Anyway, Durbin came to the floor and he argued against what Ensign was saying. They argued back and forth. It wasn't ugly, but you thought if there was a lack of civility in the Senate this would be one of the instances, but what many times we use “a lack of civility” for a substantive disagreement. There was a very strong disagreement between Durbin and Ensign on the wisdom of this bill, on the judgment of the people who were promoting this bill, all those things, not on their motivation. Later that evening, as I walked out of the Senate Chamber, in the back on the Republican side Durbin and Ensign were sitting side by side, not even speaking. Clearly, they had searched each other out and they felt comfortable enough with each other. It was just

like one of those things that happen between friends. So it was clear that there weren't any civility problems between Senator Durbin and Senator Ensign. I didn't see it.

There's the old saw about your children: you never say your child is dumb, but you say your child may do some dumb things. I disagree with many things that Republicans —and by the way and Democratic senators say. In fact, I really was much more upset many times by what Democratic senators were doing than what Republican senators were doing. I disagreed with the Republicans much more on substance but just on the way things were done I had problems. I don't buy civility being a problem. I buy the fact that there are real basic differences and these come down to being very partisan. They reflect the fact that this is a representative democracy and to a certain extent members of Congress should represent their constituents. If you look at the polling data, the vast majority of Republicans are opposed to healthcare reform, and the vast majority of Democrats are in favor of healthcare reform. That's not a lack of civility. That's not partisan bickering. That's the way a representative democracy works.

After the vote on healthcare reform, people used to stop me on the street and say, "Wasn't that terrible about what went on in Washington about healthcare reform?" I would say, "No, no, with all due respect, you need to listen to what went on around the country, where there was uncivil behavior at these town meetings." Mike Castle, our congressman, had a town meeting downstate and it was just awful. The lack of civility is not on the Senate floor, not on the House floor, but in schools and meeting halls around the country where people are questioning members' motives, and who they are, and attributing to them motives for their positions that are just off the wall.

RITCHIE: You've mentioned a couple of times presiding over the Senate, which freshmen senators spend a good amount of time doing. What's it like presiding in the Senate?

KAUFMAN: Well, in the beginning it's daunting because you're there and the C-SPAN cameras are on, and these are very complex decisions. First when you recognize a senator you've got to make sure you've got the right state the senator is from, just to start with. Then what they say, and who you recognize, and how it works. You take a slight orientation course and then you're into the mix and you're presiding. What I learned very quickly, and I think most of my colleagues learned very quickly, is that if you listen to that voice that's sitting right in front of you [the Senate parliamentarian and

his staff], you will avoid having any problems. It is truly daunting when you start because so many things can happen and you don't know how to deal with them. There are so many questions. And you're on television. But after you do it for a while it's not a totally negative experience. It gives you time during a very busy day to bring your thoughts together. But also it's interesting to listen to the debate. A number of the positions I took—Wyden-Bennett, which was the major amendment to the healthcare bill put in by Ron Wyden and Bob Bennett, I got interested in that by hearing Ron Wyden give a speech on the floor. I learned a lot, sharpened my arguments many times when the Republicans were speaking—or the Democrats—but mostly what the Republicans were saying. I would listen to what they were saying and think, "Well, that really makes sense, but that doesn't comport with this."

It was a good opportunity to do that, so I look on presiding as a very positive thing that you do as a freshman. As you get to be more senior—which gets to the real problem in the Senate, which is that senators are on too many committees and have too many responsibilities. In 1984, when Senator Biden was thinking about running for president in '88, he dropped down to just two committees, and that was the smartest thing he ever did. I never felt he was constrained in any way by just being on two committees, and eliminating the subcommittees, too. So when I came to the Senate, I said, "I want to be on just two committees." When Harry Reid called me, I said I thought that would make a lot of sense. I was only going to be there for two years. I understood the substance of most of the issues on Foreign Relations and Judiciary, having dealt with them for most of the 22 years I was on the Senate staff, so I felt comfortable with that. Maybe I should get on a different committee, but I thought it would take an investment of time to learn the new issues—even though I knew most of the Senate issues, because I had been there for so long, and had dealt with them, and had been interested in them. So I just said I wanted to be on two committees. It turned out to be a great decision. I got to sit in on a lot of committee meetings and hearings that other people missed.

One of the problems with senators being on so many committees is they can't go to the hearings. I remember one day something important was going on in both Judiciary and Foreign Relations and I was going back and forth between them. I can't imagine if you had four committees and all the subcommittees on top of it. It's a real mistake, and I spoke about this in the caucus, I spoke to everybody I could about it. What had happened, there were rules to limit how many committees a senator could serve on, but the waivers had just grown and grown. Then Senator Mark Pryor was appointed by Senator Reid,

after I left, to come up with a report on that. He called me and I spent a lot of time talking with him on the phone. And now they are beginning to cut down on the waivers on the committees. I thought that was really important.

When you're in Washington for only three days and you're on four committees, and subcommittees and the rest of that, you don't have a whole lot of time to be doing anything except that. It's interesting, some of my colleagues thought we could schedule our way around it. I said, "Look, you're only here from Tuesday through Thursday, and you're on four committees, that's not a scheduling problem. That's trying to get ten pounds into a two-pound bag. There's no way that can work." One of the great things was that I actually got to sit in committee hearings. I can remember before the president made his decision about Afghanistan, Senator Kerry put together a great set of hearings on Afghanistan. A number of us sat through them all. Senator Shaheen was at a lot of them, and Senator Barrasso and Senator [James] Risch on the other side. Senator Kerry was at every single one of them, and Ranking Member Richard Lugar. But after the president made his decision, a number of my colleagues came in and had not been able to go to any of the hearings, literally none, and some of the things they said were based on what they read in the newspapers or what their staff told them. They never would have said that if they had sat in the hearings. I found it to be extraordinarily helpful to have the time to sit in the committees.

Then what happened was Scott Brown got elected to take Paul Kirk's place, who had taken Ted Kennedy's place, and therefore the Democrats needed someone to go on Kennedy's committees. It's a complex thing. Because the election had replaced a Democrat with a Republican it changed the ratios of the committees. I think Kennedy was on four committees so they needed Democrats to go on those four committees. There were other problems they had to balance it. It's a very complex, Byzantine, and esoteric process, but the result of it was they needed a number of Democrats on a number of committees. Lula [Davis] in the [Democratic] cloakroom called Jane Woodfin, my legislative director, and asked, "Can we talk Senator Kaufman into going onto the Senate Homeland Security Committee?" Jane asked me and I went over to the floor and saw Lula, and I said, "Sure, Lula, I'll go on the Homeland Security Committee." A little later that afternoon, Senator Levin came up to me. We went off the floor and he said, "I really would like you to be on the Armed Services Committee." I said, "I've already said I would be on Homeland Security, and the reason why is because I want to be on the Permanent Subcommittee on Investigations, the subcommittee you chair, because you're

doing some great stuff on Wall Street reform.” Senator Levin said, “Yeah, but I’d really like to have you on the Armed Services Committee, too.” He knew I had been to Afghanistan, Pakistan, Iraq and the Middle East in that first year. I had traveled with him for part of the time. I said, “Well, I’ve already told them that I would be on Homeland Security.”

You know how the Senate works. I was standing on the Senate floor and Harry Reid came up to me and said, “Hey, Ted, how are you doing?” And I thought, “Oh, God!” [Laughs] One of the first rules I used, which worked very, very well for me and I would suggest to any freshman senator: I went to Harry Reid, I went to John Kerry, who was chairman of the Foreign Relations Committee I served on, and I went to Senator Pat Leahy, chairman of the Judiciary Committee, and I said, “Let me tell you something, I’m here to help you. You don’t even have to call me. If you ask me a question, unless it has something to do with my family or something like that, the answer is going to be yes, whatever you ask. Senator Kerry and Senator Leahy, they just raved about the fact that whenever they asked me to do something, I would do it, and as a result they did some really wonderful things for me. Not quid pro quo, it was “I’m on your team, I understand how the Senate works, I understand that I work for you on this committee, don’t call me on issues and ask me to vote a certain way, but in terms of if you need somebody to chair a hearing or you need somebody there to make a quorum I guarantee the person sitting in the seat will be me.” I said the same thing to Harry Reid, so when he said “How are you doing,” I thought “Oh, my God.”

He said, “Ted, I know you said you’d be in on the Homeland Security Committee but I’d like you to be on the Armed Services Committee too.” I said, “Mr. Leader, whatever you say.” So I ended up being on four committees, which turned out to be great. Both of the chairs, especially Joe Lieberman on Homeland Security, know that was not one of my top priorities. (The Permanent Subcommittee on Investigations, they had one hearing and I was there from beginning to end, it was on Wall Street reform. It was a fantastic four days.) So I was now on four committees. Then about two hours after that, Lula called Jane Woodfin and said, “Say, Jane, how about if Ted went on the Budget Committee?” I went back to Lula and said, “Lula, I told the leader I’d say yes to anything. But the Budget Committee?” Five committees, I think that’s ridiculous. One person can’t go to all those committee hearings. I said, “No, I don’t really want to do that.” She said, “Okay, let me think about it.” She came back and said, “That’s fine.”

RITCHIE: Did you find that being on a committee made it easier to introduce legislation related to that committee? Can a senator who is not on a committee introduce legislation as well?

KAUFMAN: When I first came to the Senate, never. There was a study done in the 1970s that something like 92 percent of bills favorably reported out of committees were passed by the Congress. I remember Senator Biden, before he was on Judiciary, I think, went down and gave a whole speech critical of the LEAA, Law Enforcement Assistance Act, and boy people were all upset about that. But what had happened in the interim was both good and bad. Because senators are on so many committees now, they can't control what's going on. They can't know enough, they're not as expert anymore. So what happened to me was I found out that Judiciary and Foreign Relations were great, but in addition to that I was the only engineer senator. When I first got there the *New York Times* did an article [January 29, 2009] in which they said there were now two engineers in the Senate, and the other engineer was Jack Reed of Rhode Island. So we had a caucus lunch right after that and I said, "Hey, Jack, we've got to get together. You and I are the only two engineers in the Senate." He started laughing and I said, "Jack, what are you laughing at?" He said, "Ted, I graduated from West Point. Everybody who graduates from West Point gets a degree in engineering." He said, "I'm not an engineer, I'm a poet."

I understand engineering, and Jeff Connaughton was involved with the science caucus, so he had me meet with the deans of about eight or nine of our top engineering universities. It was a marriage made in heaven. I just loved working on Science, Technology, Engineering and Math [STEM], I loved working with the deans. I introduced a whole bunch of legislation on engineering. I spoke at the annual convention of all the deans of all the engineering schools. I spoke to many engineering groups including the American Society of Mechanical Engineers here in Washington, and received their President's Award. I spoke to the national Meeting of all the U S Engineering Deans, and the annual meeting of the Chairs of the electrical engineering and the Chairs of computer engineering schools. Probably, the most fun, was that I was the graduation convocation speaker at both the University of Pennsylvania and the University of Delaware engineering schools.

We had a lot of legislation that we got passed: the coordination of STEM, and making sure that engineers were in the Edward Moore Kennedy Serve America Act, in

which is said that engineers could be involved in national service.

The other thing that became part of my trademark was I got there and found out that a lot of things I learned at the Wharton School in investing and business and from my personal investing were front and center. Even though I wasn't on the Banking Committee there were a lot of things that I could do.

RITCHIE: I read Paul Simon's memoirs and he said that one reason he left the House and ran for the Senate was because in the House, if you tried to introduce legislation when you weren't on the committee, the chairman would just say, "We'll get to that later," and never take it up. But senators had much more freedom to introduce amendments.

KAUFMAN: That's right, but when I first came there it was a one; when Simon was there it was a three; now it's a 427th. I can talk about this with regard to Wall Street reform. Want to take a break?

RITCHIE: Yeah, I think this is probably a good time for lunch.

KAUFMAN: When we get back we can talk about Wall Street reform not as an accomplishment but more as an example of how the Senate works, and especially highlighting the fact that here I was on none of the relevant committees and was able to play a major role.

End of the Fifth Interview

Photos from top to bottom:
Senator Ted Kaufman presiding over the Senate
With Supreme Court nominee Elena Kagan
With Senator Dick Durbin
With Senator Dianne Feinstein
With Senator John McCain

