EDWARD M. KENNEDY ORAL HISTORY PROJECT

INTERVIEW WITH STUART SHAPIRO

April 3, 2009
Bala Cynwyd, Pennsylvania

Interviewer

Janet Heininger

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TRANSCRIPT

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Heininger: This is an interview with Stuart Shapiro on April 3, 2009, in Bala Cynwyd, PA. Let's start at the beginning, and why don't you tell me when you first met Edward Kennedy and what were your initial impressions of him.

Shapiro: I'm going to need to back up a little bit. It was the winter of '72/'73, and I was a student getting a master of public health degree at Harvard School of Public Health. I was a resident at Mass General. I became very fond of, and I'd always been interested in, public policy issues. I had a professor by the name of Rashi Fein who was a pretty liberal health economics professor. He vaguely knew Kennedy. I needed to do an internship, so I asked Rashi if he would introduce me to Kennedy's staff so I might go down to Washington and spend some time learning how the Senate worked. He hooked me up with Phil Caper, whom you must have interviewed at some point, who was a lovely guy, a really decent human being.

Phil and I hit it off and Phil agreed to have me down for six or eight weeks. It was set up—I was to go down to be Phil's gofer—and I met Kennedy in passing. The Friday before I was to go, Phil called me and said, "We're glad you're coming. I'm leaving for two months to go to Asia, on a human rights/health care thing for Kennedy." He told me that I would become Kennedy's staff person. Now, I had no experience on the Hill. There was another staff person there by the name of Lee Goldman, and Lee and Phil did not like each other at all. Kennedy let them compete for his love and did not intervene, a sort of common theme, because Kennedy hated conflict.

So I went down, met Lee, and became a senior staff member with no experience. Lee had a bias against me from the minute I walked in there because I was Phil's guy. But within a very short while, Lee and I hit it off and I was doing real staff work around the issue of malpractice reform. Lee guided me and I had direct access to Kennedy, as if I were Phil Caper. I had a lot in common with Phil in that I was another doctor. I was a Jewish doctor, and Kennedy had a long history of having smart Jewish doctors involved with him and his family. Of course, the job in the office was much more than just being his health aide.

Heininger: In that time period, were you expected to act as Phil had, which was to be the in-house physician for the family?

Shapiro: Yes, little did I know. I was at Mass General, so I was well equipped to do that. Immediately I was getting those phone calls from the family members: I need this, I need that,

can you do this, what about that—that kind of stuff. So there I was. At the end of the eight weeks or so—and it had been a lot of fun for me and for Kennedy—he said, "Do you want to eventually join my staff?" I said, "I don't know. I think I probably would, but I can't do that now." I had a wife back in Boston and I wanted to finish my degree and my training, and he didn't really have a slot at that time either.

Heininger: Had Phil explained to you that you were also expected to be the in-house physician, or did you not realize that until you got there?

Shapiro: Oh, I'm sure he *didn't* because I wasn't supposed to be anything more than Phil's gofer. I was going to hang around with Phil. I think the first week I was there, I got a call from Ethel Kennedy, and that's how I knew that there was more to this. At some point we'll talk about the politics of Kennedy and the rest of his family.

So I went back to Boston and I'd see him at fundraisers or I'd bump into him on the shuttle. In 1976 I separated from my then-wife and had gone to Washington for some kind of meeting. At the time I had become Deputy Health Commissioner for the State of Massachusetts. I'd finished my residency. I was on the plane flying back from Washington on a Sunday in September, and Kennedy was on the plane. He sat down next to me, or we talked. In fact, I think his assignment was the seat next to me—we were both in coach at the time—and he said, "Well, are you ready to come work for me?" I said, "No, I'm working for Mike Dukakis." And he said, "Yes, but last week you and your wife separated." I looked at him weirdly and I said, "How did you know that?" He said, "Somebody told me. So are you ready to come work for me?" I said, "I've only been working for Michael for three or four months." And he said, "I'll deal with Michael." The next day I got a call from Dukakis saying, "You've been traded. You can say no, but Teddy and I have talked and you can go to Washington if you want. You're off the hook here, and he owes me something in the future." And I moved to Washington and between '73 and…

Heininger: Seventy-six.

Shapiro: Seventy-six. [*pauses*] No, it was January of '77, December of '76; it was right after the election. So he had just been reelected when that happened. That makes sense, late fall of '76. I'm sure that's when it was, it was late fall of '76. Larry [Horowitz] had become—Larry's evolution had increased and Phil had left.

Heininger: Had Stan Jones left at that point?

Shapiro: Stan was still there and there was enormous—

Heininger: And Lee had left?

Shapiro: Lee had been fired. And there was enormous staff infighting because Larry wanted to be king of the mountain. But Larry at the time wasn't spending full time in—

Heininger: He was at Stanford at that point, wasn't he?

Shapiro: He was at Stanford. So I came in and therefore I became first doc when Larry wasn't there and second doc when Larry was there, and my inclination was not to fight that because it

wasn't something I was going to win. And then we got a third doc, who was a wonderful guy, David Blumenthal.

Heininger: Right, and David was there for just a relatively short time, two years I think.

Shapiro: I'd say that's about right. David is also a wonderful, classy human being, whose brother, by the way, is AG [Attorney General] in Connecticut.

Heininger: And he's apparently just got appointed to something by [Barack] Obama too.

Shapiro: Correct. So I then joined Kennedy's staff full time, I guess I would say early '77.

Heininger: Who was officially staff director at this point? When was Lee fired?

Shapiro: Seventy-four or '75 maybe?

Heininger: It was later than that. I think it was close to that election period.

Shapiro: Well, that was '75, '76.

Heininger: Oh, I know. Yes, I think so. Some time in there. Did you ever get the story as to why he was fired?

Shapiro: He made up a hearing. No, somebody else made up the hearing; that was Harley Dirks. He had clearly made some misrepresentations.

Heininger: So he leaves, the election takes place, and Phil departs.

Shapiro: And Phil leaves also.

Heininger: And Stan leaves relatively shortly thereafter.

Shapiro: Correct. Not immediately.

Heininger: No, but Stuart Altman—

Shapiro: Was never there.

Heininger: No, but Stuart Altman had facilitated Stan going into the administration. No, he left and went private sector I think.

Shapiro: Stan definitely went into the private sector, but I don't think that happened until something like '78.

Heininger: If I recall, I think it was '77 but it may have been late in the year.

Shapiro: Stan was there for a while.

Heininger: Was he there for a while?

Shapiro: Yes.

Heininger: Who was officially staff director? You said you came in, in a period of intense infighting. Was this a period in which nobody was really staff director?

Shapiro: No, I think Stan was, technically. In fact, Stan probably was. Then when Stan left, Larry was named staff director. But in reality, Larry's invisible hand was always directly in to Kennedy.

Heininger: And when did Larry then come physically to Washington?

Shapiro: You know, I haven't thought all this through, but I would think it was probably '78 maybe, or '77. And then I was clearly Larry's right-hand person. Larry was clearly the boss. Larry brought on his best friend to work on the committee, who was on a leave from the Department of Health and Human Services, a guy named Bob Graham. But I was clearly number-two dog.

Heininger: And then David Blumenthal was number three. So here all of a sudden you have three physicians.

Shapiro: Yes, and a very good lawyer, a guy by the name of Bob Wenger, and one or two other people. I always had a pretty good relationship with Kennedy and the rest of his staff because they saw me as the "anti-Larry."

Heininger: So at this point, when you first come in, how do the responsibilities get divided up? When you came in, what did Kennedy want you to do? At that point he had Larry at a distance, so I'm assuming one of the things he wanted you to do is to reassume the role of in-house physician.

Shapiro: Yes, but as I'm sure you know, Larry does not give up much of anything.

Heininger: So what did Kennedy hire you to do?

Shapiro: He immediately gave me certain policy issues. Number one, [Jimmy] Carter was the new President, and I was assigned all mental health issues. Secondly, I was a major player in all the national health insurance debates. I was also given full responsibility for all of the health planning issues and, in parts, on some of the neighborhood health center issues. So I was the guy who did the broad range of policies, with specific, total responsibilities around some of them. We had a relatively junior staff person do community health centers. She didn't have much experience, so she did the standard work and I did the real heavy lifting. A lovely lady named Chris [Christine] Burch.

Heininger: All right, so let's start with the mental health issues. Had Rosalynn Carter, at that point, declared that that was going to be her area of interest?

Shapiro: Absolutely.

Heininger: OK. So did you have any contact with her?

Shapiro: I did, and with her staff.

Heininger: What was that like?

Shapiro: It was like threading a needle. She was not a nice person. Her two key staff persons were an arrogant Georgia doctor by the name of Tom Bryant, who was very close to the President and Mrs. Carter—he was a psychiatrist—and a woman named Kathy [Kathryn E.] Cade, who was her chief of staff. The mental health legislation needed to be reviewed and renewed, so I spent several years coordinating that, working on that and negotiating with the White House constantly, and with all the groups and the whole political process and all this and that. I met with Mrs. Carter, I don't want to say often but not infrequently, and she had her views; they weren't totally irrational but it was a very fine line.

Heininger: What did Kennedy want to see accomplished in the mental health area, and how did that differ from what Mrs. Carter wanted to do? The mental health legislation had to be reauthorized, which is always a lengthy process, but were there issues that were of particular concern to Kennedy?

Shapiro: As I recall, I think he was far less sensitive to what the psychiatrist wanted than what consumers wanted and what was in the best public interest. As I think back, there was a guy on [Jacob] Javits' staff who is now deceased, a guy named Jay Cutler, a lovely guy, but he had left Javits' staff to become head of governmental relations for the American Psychiatric Association. So he was constantly pounding at us. And Tom Bryant, who was also a psychiatrist, was carrying a lot of Mrs. Carter's water. So they were trying to really expand funding for psychiatrists, they were trying to squash the psychologists, and I think were less into trying to solve the problems of the mental health system than Kennedy was.

Heininger: I can't remember the time frame, but when was the big rash of deinstitutionalization?

Shapiro: It started in the mid-to-early '70s and kept going up, because I deinstitutionalized the state hospitals here starting in '80, when I moved to Philadelphia.

Heininger: So this is really the period in which, as we're moving through deinstitutionalization, I'm assuming Kennedy's concern was, what are we going to do with these people if we're going to take them out of these institutions?

Shapiro: Yes, but he was also interested in getting them out of the institutions.

Heininger: Right, but meaning how do we build in a network of community mental health centers and provide treatment for these people on an outpatient basis.

Shapiro: Right.

Heininger: Was that a prime concern of the White House? Was there a policy difference over that?

Shapiro: I just don't remember.

Heininger: So a lot of your time was taken up on mental health.

Shapiro: A lot of environmental stuff too, as I recollect now, because we did the whole Superfund and the whole issue of—do you remember there was the Hooker Chemical, Love Canal, and all of that? We broke that story and had hearings on Love Canal. I spent a couple of weeks up in Niagara Falls uncovering all of that and working with the consumers. I was in a unique position to do that because I was raised in Niagara Falls.

Heininger: Really?

Shapiro: So I went home and had access, because my father was a prominent physician, to all of the people at Love Canal, and we helped make that a national story.

Heininger: And Larry let you carry the water on this?

Shapiro: Yes.

Heininger: There was a lot of national attention on this.

Shapiro: Yes, but it wasn't Larry's interest. Larry had one singular focus from a health policy perspective, and he diverted, frankly, in my mind, too much of Kennedy's energies, and that was onto the FDA [Food and Drug Administration] and beating up on the drug companies.

Heininger: So I'm assuming, then, he had the responsibility for all the FDA.

Shapiro: Larry had 100 percent of the FDA responsibility, or 97 percent. Larry had started on that when he was even working part time, before he came back full time.

[BREAK]

Heininger: This is a resumption of the interview with Stuart Shapiro on April 3rd. So you said Larry had focused, even in the consulting years for Kennedy, on the FDA.

Shapiro: When he came in for a week here or there, it was inevitably FDA-focused. He did all the—

Heininger: Why did he care about this, and how much did he get Kennedy to care about it?

Shapiro: I have no clue how much Kennedy cared about it.

Heininger: Oh, but Larry did.

Shapiro: Larry certainly did. One of the themes of Kennedy is he was very smart, but he also let his staff shape the issues. His commitment to national health insurance has always been there, and every staff member who has ever been there worked on this, including me. It should have

gotten done in ’73. It really should have. The bill that will pass this year will look virtually identical to the Kennedy-[Wilbur] Mills bill of 1973. It really will.

Heininger: A few years later.

Shapiro: Because the insurance companies are now ready to accept it, and Labor is ready to accept it. I worked on that while I was there for that interval, and then we brought it back after I came back. Kennedy cared deeply about a lot of issues, including health insurance and civil rights, and the immigration issue was very important to him. But with most of the issues, whether it was neighborhood health centers, he understood the big picture, but basically he left the staff to have the passion on the details. He would deal with the political compromises if we couldn’t get them done. But I think issues of the drug companies, frankly, were Larry, and the differences between us and Carter’s people was basically the differences between—he wasn’t involved and didn’t care about the details. He’d *act* like he cared when he was ginned up to do it for his two-hour hearing, but on a day-to-day basis he had no passion for doing it X way or Y way. Young staff always have passion because they believe it should be done this way rather than that way. And as you look back on that, some of these battles that we had were stupid.

Heininger: Yes, but they mattered at the moment.

Shapiro: Well, they certainly mattered at the moment. Eventually we got mental health legislation, the reauthorization, enacted in the spring of 1980. It becomes very relevant for a real Kennedy story. I had gotten to know the Carter people pretty well, and Eunice [Kennedy Shriver] had been very involved in the mental health legislation, as it now comes back to me, because it also dealt with a lot of mental retardation. We should explore, at some point, my relationship with Eunice and the family and her brother over the abortion issue.

They finally had the bill-signing ceremony. It was held someplace in Arlington or Fairfax, or someplace that was a half-hour drive from Washington. We were deep in the middle of the Democratic primary for President. I drove out with one of the other staff people. Kennedy and Eunice drove out together and they brought two other people; I don’t remember who they were. We do the bill-signing ceremony, and Kennedy and Carter, who had truly grown to significantly dislike each other personally, professionally, politically, I mean there was just raw blood—I had made arrangements to fly back from the hearing with the Carters and their staff in Marine One, back to the White House.

I was all set to get onto the helicopter after the bill-signing ceremony and I said, “Senator, I’ll meet you back in Washington. I’m going to fly back with the Carters.” He said, “Why would you do that?” And I said, “I’ve always wanted to fly in Marine One.” And he looked at me with a look that I rarely saw and he said, “Stuart, you work for me. You will ride with me.” I think he was driving; his sister was in the front seat and we were in back of this Pontiac convertible. I am sitting squeezed between two other people in the back seat, in the middle, with him glaring at me through the rearview mirror. [*laughter*] I never got my ride in Marine One.

Heininger: Were you also designated, therefore, to deal with Special Olympics, or was there somebody else on the personal staff who—

Shapiro: Somebody else on the personal staff dealt with the Special Olympics.

Heininger: OK, so you just dealt with the mental health.

Shapiro: Yes, and some mental retardation stuff, but I did not do much Special Olympics stuff.

Heininger: Did you have a sense as to how much—in other words, this was the focal point for Eunice. Do you have a sense as to how high mental health issues ranked for Kennedy, for himself?

Shapiro: Yes. I think he cared about mental health issues some. I think he only did mental retardation issues to please his sister. We were involved in a piece of legislation that dealt with teen pregnancy, that we used to call the "Eunice bill," and he could have cared less over the substance of it. In fact, much of the substance was wrong, and he put me into the position of working with Eunice. I became persona non grata to her and Sarge [Shriver] because she wanted him to do things that the right to life people wanted. She's a real true believer in right to life, she and Sarge, and are really anti-choice. This bill was taking away options for teenagers who got pregnant, and it was Eunice's bill. I was dead center in the middle constantly—she'd write a speech for him, I'd change the speech, she'd change it back. He'd call me to come to the house, and it was very difficult to keep her out of the legislative, day-to-day politics.

Heininger: So Kennedy did not referee this and also would not say no to Eunice.

Shapiro: Correct.

Heininger: And from a policy standpoint, you didn't agree with what the bill was doing.

Shapiro: Right.

Heininger: Did you have a sense as to whether Kennedy agreed with it?

Shapiro: He always backed me in the end.

Heininger: Where was he politically on choice at that point and how publicly had he taken a stance?

Shapiro: He was publicly that it's none of Medicaid's business to get involved. I was trying to think about this driving home today, and he clearly—I don't remember ever talking with him about whether abortion should be available to everybody. I think he was really much more of, this is a private decision.

Heininger: Because by the time you get deeper into the '80s, I think his position becomes clearer, or more vocal, particularly when you get into some of the Supreme Court nominations and protecting the right to choice.

Shapiro: Right. But back then he was still pretty much—in fact, I'm going to grab a letter, which I just happened to find the other day.

[BREAK]

Heininger: This is a resumption of the interview with Stuart Shapiro. This is a letter from Sarge, laying out their pro-life position, and how it was relevant to this teen pregnancy bill.

Shapiro: Yes. I'd get phone calls at 9:00 at night. I'd give Kennedy a speech he was supposed to do on the floor. I'd write it, and he would have then talked to his sister, and he'd call me at 9:00 or 11:00 at night and say, "Eunice just left. She's rewritten your speech. Will you come out at 6:00 in the morning? I'll leave it at the front door. You come in, sit at the kitchen table, and rewrite it again." I mean, he put me dead center against his sister.

Heininger: Did you ever talk to him about feeling that you were caught in the middle?

Shapiro: Yes.

Heininger: What was his conclusion?

Shapiro: It was, deal with it.

Heininger: So at this point you actually get directly addressed by Sarge.

Shapiro: I get whiplashed.

Heininger: Yes, this is a pretty strong letter.

Shapiro: Yes. You get truth from me.

Heininger: And Kennedy would then—well, if I could lay this out. He would go so far as to introduce a bill that from a medical standpoint you thought was not the right thing to be doing, and that also was not congruent with his stated position on choice, but he would do it because his sister asked him to do it. And then, when his sister would rewrite speeches, he would then go back and—

Shapiro: We always kept him straight, but I was the guy who fought with Eunice.

Heininger: Well, you were the surrogate so Kennedy didn't have to fight with her.

Shapiro: Of course. There's an aside. In 1980, during the campaign, we're flying over the United States and we're landing in California or wherever it was, and the issue of women serving in the military came up. I guess serving in combat or whatever it was at the time. We're running the Presidential campaign, and he said, "What do you want me to say?" And I said you should say X. And he said to Eunice, who was on the same plane, what do you think I should say? And she said the 180-degree opposite. He looked at the two of us and he said, "I'm getting off the plane in California," in San Francisco or wherever it was. "You two are staying on this plane.

You two are going to work out a common position because I am not going to get between you two like I have on other issues."

Heininger: But you're also saying that when push came to shove, he would do what you were recommending rather than what she was. So he would let her push, but only up to a certain point.

Shapiro: Correct.

Heininger: Well, that couldn't have been comfortable for you.

Shapiro: You can see the letter.

Heininger: Did Larry get involved in any of this?

Shapiro: No.

Heininger: Did Larry get caught between Eunice and Kennedy on other things? Or were you basically the designee on issues that Eunice is going to care about?

Shapiro: No. Certainly on these issues I was the—whether Larry did or not, I don't know. Larry was very good at making sure he didn't have to piss off the family.

Heininger: So he'd be able to delegate, which is what staff directors do, delegate out things that they don't want to have to deal with.

Shapiro: Right.

Heininger: Were you able to maintain a relationship with Eunice that was positive in other ways, or did this really poison the relationship with her?

Shapiro: Superficially it was always moderately pleasant, but there wasn't really much of a relationship.

Heininger: Did you have a relationship with other members of the extended family?

Shapiro: No, I served them all, so they'd all say Stuart was very responsive, but I didn't have a great relationship with many of them, any of them. Young Teddy [Kennedy Jr.] I did, Patrick [Kennedy] I did, and Kara [Kennedy] I did. They all liked me and I got to know them through the campaign. My wife always thinks I exaggerate sometime about my relationships. We were at a fundraiser for Senator Kennedy maybe six, eight years ago, at his house. They had a big tent set up and we walked in, and across the room came barreling Teddy junior, to say hello and give me a big hug. So I had good relations—but with the sisters, I was the doctor who worked for Teddy and who solved problems. I was the hired help.

Heininger: Did you have a sense that that's how they viewed Larry?

Shapiro: Back then probably at a notch higher, but over time Larry became a member of that family. I became the guy who solved problems.

Heininger: I mean, given Larry's personality, do you have a sense as to why, what—how did you explain that relationship that Larry and Kennedy had, still have?

Shapiro: I don't know. Larry is a very skilled manipulator. Larry covered Kennedy's backside, was very loyal, and they, for whatever reason, became good friends.

Heininger: But the personalities in many ways are so dissimilar.

Shapiro: No. They're both very political. What do you see dissimilar?

Heininger: I wouldn't describe Larry as a people person, but I would describe Kennedy as a people person.

Shapiro: Larry does whatever Larry has to do to benefit Larry.

Heininger: That's different. So it was easy to delegate out the sticky issues that were going to create problems with the family and that were going to put Kennedy in a difficult position with his family.

Shapiro: I'll never forget—I mean he had a sense of humor about his family. Joan [Bennett Kennedy] was supposed to give a speech once—we were in New York—and she just couldn't make it, during the campaign. So I said to Kennedy, "What do you want me to do?" He said, "Well, you go give it." I said no, it's a big fundraiser and they're really expecting one of the family members. He said to go ask Pat Lawford. And Pat said, "I can't do it. I just got up, my hair is a mess, and I've not planned for it." So I go back to Kennedy and he said, "Now go try Eunice." I go to Eunice and try to get her, and she was apparently in Washington, couldn't get up in time to do this, so I go back to Kennedy and he said, "We can make this happen." So he picks up the phone and he calls Pat and he says, "Pat, I'm telling them that Eunice is coming. You go dressed just like you are now, with your hair just like it is, and everybody will think you're Eunice." [*laughter*] He had a much closer relationship in many ways with Jean than he did with Eunice. Eunice was the older sister, Pat was the older sister, Jean was his contemporary.

Heininger: Did you get a feeling that he felt himself caught between things that he wanted to do and what his family wanted him to do?

Shapiro: Yes.

Heininger: But he also didn't want to deal with the conflict that it would create—

Shapiro: Correct.

Heininger: —with him saying no.

Shapiro: That was a perfect example.

Heininger: So that's what staff were for. Did you get a sense that all of the staff had to do this? Was everyone at the service of the family too?

Shapiro: No, because they weren't—they were staff, they couldn't solve problems because there were always health-related, mental health-related, social issues that doctors with a broad portfolio get called upon to help with. I mean, I still do that for other Senators. It's the same sort of thing. I solve problems not just for the Kennedys but others, even today.

Heininger: So you think in part it's—I mean, there has always been a physician on staff. That's been important to Kennedy. Well, I would say not always. I would say probably Phil Caper might have been the first one, so when he became chair of the Health Subcommittee, so early '70s forward. I'd say not in the '60s.

Shapiro: I'm presuming you're interviewing Phil.

Heininger: Yes, we have. So having a physician there became a unique position because of the personal interface with family members, because of medical issues that arose in quantity.

Shapiro: And they weren't just—they weren't classic medical issues. They may have been drug abuse-related issues, they may have been social issues, they may have been maturity issues. We were singled out, and I think almost all the doctors were Jewish. Whether that was coincidental or not, I don't know, but we were all thought of as wise men, even though we were young twerps at the time.

Heininger: I'm assuming that there would be a couple of things behind that. One, you had an independent stature because you had an MD after your name, and two, you owed him loyalty because you were his staff. But you were also bound by physician-patient confidentiality, and because you owed loyalty to him, they could come to you and it wouldn't get out to the press.

Shapiro: I'm sure that's true. But it wasn't that we hid behind the doctor-patient. Kennedy's staff was pretty loyal to him. They may have perceived it as that but the reality was, his staff was a very loyal staff.

Heininger: Oh, I know that.

Shapiro: The staff took many bullets for him.

Heininger: I'm just thinking in terms of, with all the different staff that we have talked to, it's a unique position, that kind of physician-designee role, that I think in some ways is markedly different from how other staff—it creates an extra dimension, I think.

Shapiro: Maybe.

Heininger: In the relationship both with Kennedy and with the family. There are lots of staff who, through the years, have done work on issues for other members of the family, and even have served for press purposes, facilitated press for individual family members. It's almost as if being a staff member for Kennedy meant you were a staff member for a huge network too.

Shapiro: No question.

Heininger: In ways that were different from most other Senate staffs.

Shapiro: I think that's probably right.

Heininger: But I think the physician position was even—there was an extra notch for that.

Shapiro: I'm sure that's right.

Heininger: Have you had a sense through the years, have you known most of the physicians who have been on his staff, subsequent and when you were there?

Shapiro: Yes, but they were less.. . . After I left, Larry stayed but in a different capacity. And then Larry's always been around and he knows I'm always around. So he doesn't call often, but occasionally, I'm sure if he can't get Larry, I'll get that call. I don't know whether the more current physicians played that role, because he always had Larry. Through your interviews, you'd probably get a better sense of—

Heininger: That's what I'm trying to parse out here. I have a feeling that this is the time period where there remains Phil as a physician.

Shapiro: Phil has left though. Phil is pretty much out of it. Larry and Phil hated each other.

Heininger: But I think he still gets called on, rarely, but still called on. I don't necessarily have the sense that some of the other people, with the advent of Larry and with the two of you having been there at a time, that there has been an ongoing physician relationship. I don't have the sense that has necessarily been the same for all the subsequent ones.

Shapiro: I don't think it has been, I really don't. And in some periods of time they didn't have a physician there who was in a really senior role.

Heininger: There have been physicians there who have been in more junior roles, yes, but still required to serve but not—it's just a qualitative difference.

Shapiro: I think so.

Heininger: I think. And I don't know whether there was something about that time period. Certainly there was Teddy's cancer in there.

Shapiro: But that was done by—

Heininger: I guess that was over before you came, wasn't it?

Shapiro: Tail end pieces of it, but Phil stayed pretty much involved in that. I'm sure Larry takes most of the credit but I know it was Phil who was the key player in that.

Heininger: Jumping far forward, have you been called on at all to deal with his current medical situation?

Shapiro: Virtually not at all.

Heininger: Have you had a sense that Larry has been there or that it has been Larry who's been doing this?

Shapiro: I have.

Heininger: Have you had a sense that Dave Nexon has been involved?

Shapiro: Is Dave a physician?

Heininger: No.

Shapiro: I don't think he has. I think this has been personal staff. Is Dave still there?

Heininger: No.

Shapiro: I didn't think so. I think it's been primarily Larry, and I think Ranny [Cooper] has been involved.

Heininger: Well, yes, when Ranny came that was also quite a change.

Shapiro: In what way?

Heininger: I would say probably very extended subsequent involvement, and she's still very much integrated.

Shapiro: Oh, she's still absolutely there. She became close to many of the family members too.

Heininger: And her personality is very different from Larry's.

Shapiro: Yes, but she likes power too.

Heininger: But staff really like her.

Shapiro: Well, Larry just lied all the time.

Heininger: That's why I get back to, why does he have such a good relationship with—why does Kennedy like him so much?

Shapiro: I don't know.

Heininger: Well, on the policy end of things, when it becomes possible for national health insurance to maybe emerge again, after Carter came in, how did that work out in terms of who got to do what?

Shapiro: Larry was involved, Dave Blumenthal was involved, and I was involved. Larry clearly thought of himself as the quarterback. The reality was Kennedy was the quarterback. We had meetings and negotiated with [Joseph A. Jr.] Califano in the administration. I did all the cost-containment legislation through that period, which was the heavy lifting from pre–national

health insurance kind of stuff. We couldn't get consensus between Carter and Kennedy, and nothing really much happened.

Heininger: Did you have a sense that Carter was really committed too?

Shapiro: No. He was committed to Kennedy not getting a lot of credit.

Heininger: Did you have a sense, in working with Rosalynn in the White House, that he was committed to mental health issues?

Shapiro: Rosalynn was committed to mental health issues. I had never had a sense of whether that translated to him or not.

Heininger: So on a day-to-day basis, who did what on the national health insurance while you were there? Who did the negotiating with Califano?

Shapiro: Mostly Larry.

Heininger: OK, if you say Larry saw his level as him dealing with Califano.

Shapiro: Right.

Heininger: Where was your level?

Shapiro: My level was to assist "Senator" Horowitz in his negotiations with Califano, to help out at the White House. There was a staff guy there who was a wonderful guy also, who is now working for Nancy Pelosi, Joe Onek.

Heininger: Was Larry his contact or were you his contact, or were both of you?

Shapiro: Both of us were.

Heininger: Both of you were.

Shapiro: I drove the health care cost-containment effort.

Heininger: Did Larry not care about that?

Shapiro: Larry played no role in that whatsoever.

Heininger: So that's just never been his issue.

Shapiro: Right. And it was really the key to getting national health insurance. Califano wanted cost containment and I don't think was ever committed to national health insurance either, because he saw it politically never moving. So Larry and Califano, all these guys played, but it was like this was no real movement. I would deal with Califano on cost containment and Joe Onek on cost containment, and I staffed Larry as he had those same discussions around national health insurance.

Heininger: But at this point it was really clear that most of what was driving national health insurance, debates over national health insurance, was spiraling health care costs.

Shapiro: Correct.

Heininger: And it was the White House who was assisting—and there clearly was a real difference of opinion on how you bring about cost containment.

Shapiro: Right.

Heininger: With Kennedy saying you bring about cost containment by changing the system and by insuring everyone through a single payer, and you control the costs that way, and the White House saying let's parse out cost containment and let's deal with that separately.

Shapiro: No, I'm not sure that's right.

Heininger: OK.

Shapiro: I think that they wanted cost containment with caps, essentially caps on rates and on premiums and inflation factors and all that stuff. Kennedy wanted to reform the system. I think the White House said let's get the first step done first. I don't think Kennedy was ever for a single-payer system.

Heininger: If you look at the bill that he introduced in '69 and '70 and '71, he was very strong with that.

Shapiro: But by '73—

Heininger: By '73 he switched over and recognized the necessity to move to an employer mandate.

Shapiro: Right, and that—

Heininger: And he did it kicking and screaming; he did not want to do that.

Shapiro: Yes, but that's the Kennedy-Mills bill in '73.

Heininger: Right.

Shapiro: That's what we will get now.

Heininger: But if Kennedy had his druthers, it would have been single payer.

Shapiro: But by this time we're already into the late '70s, and he is not talking single payer at all.

Heininger: No, he's not.

Shapiro: Because when I got there in ’76 full time, those words never, ever entered the debate. We used to slap away those people on the far left who wanted a single-payer system, that it was not realistic. In fact, I don’t even remember him being for single payer in the early ’70s. He may have been, but that’s far out of my mind.

Heininger: Yes, very strongly in favor of single payer, because remember, this is coming in the wake of Medicare, and Medicare is very definitely single payer.

Shapiro: Correct.

Heininger: And the initial model that was developed—because they had backed away from it in ’65, in order to get through—was let’s start with the elderly, we’ll do it for the elderly. But they had started with the whole thing, backed it off to do it with the elderly, and the model, up until about ’71, about ’72, was OK, we’re going to do Medicare for all. In fact, that term was used, “Medicare for all,” until they ran up against the hard reality that the unions wouldn’t go for it because it meant they had to give up their bargaining power, and [Richard] Nixon wouldn’t go for it.

Shapiro: Right, but we came close in ’73.

Heininger: Very close, until both sides wouldn’t do it.

Shapiro: Right.

Heininger: Where did you have a sense of what—if you ranked all of Kennedy’s interests in health care, how would you rank order his top three priorities?

Shapiro: Over a time or when I was there?

Heininger: When you were there. First start with when you were there.

Shapiro: National health insurance, reforming the FDA and FDA-related issues because Larry wanted it, and either cost containment or neighborhood health centers.

Heininger: Where would you put in scientific research, NIH [National Institutes of Health], war on cancer?

Shapiro: That would be in there too. The only reason I didn’t mention that is I did so little on that, that I don’t think about it.

Heininger: Who was doing it?

Shapiro: David Blumenthal did most of the National Cancer Institute/NIH-related stuff.

[BREAK]

Heininger: So David was doing this at the time.

Shapiro: David was clearly the NIH guy. David is a very smart, polished guy; no smarter than any of the rest of us but he certainly had a certain class and was very interested in the scientific issues. David's a scholar at heart.

Heininger: Did he have Kennedy's ear?

Shapiro: Far less.

Heininger: Was it personality?

Shapiro: Maybe. David is a thoughtful, lovely human being. There was a lot of oxygen in the room when Larry or I and Kennedy were there, and David was very thoughtful and less political. In fact, David made some real screw-ups because he wasn't political enough. I didn't like the scientific issues so I was delighted to let somebody else take them. I didn't have the patience for dealing with those scientists and the NIH researchers. David dealt with them beautifully, and he then went to Mass General. Have you interviewed David yet?

Heininger: Yes.

Shapiro: Do I describe him accurately?

Heininger: Yes, I would say right on target.

Shapiro: He's much more thoughtful than I. He probably was a little bit more formal than I am. David's a terrific guy.

Heininger: I'd say that's a very interesting observation, that there was a lot of oxygen in the room when the three of you or any combination of you were there, compared to David.

Shapiro: And David didn't fight back. During the campaign, either Larry or I traveled with Kennedy 98 percent of the time. David didn't get his face time, where Larry and I did. And I think Kennedy liked David.

Heininger: He's been very complimentary about David. But you're right, there's a personality difference there, that he clearly falls under that scientific kind of end and scholarly kind of end.

Shapiro: Yes.

Heininger: Not an Irish politician end.

Shapiro: No.

Heininger: Not the joke teller.

Shapiro: No.

Heininger: So if you didn't do the scientific stuff, did you have a sense as to whether Kennedy cared about it?

Shapiro: I don't know whether he cared about it or he knew he had to do a certain amount for it. I just don't know. I would guess that he did care about it.

Heininger: If you look at his record, it has been a consistent part of his record.

Shapiro: Absolutely, and the reason I didn't mention it in there was it just wasn't on my radar screen.

Heininger: No, I understand that.

Shapiro: And as I think about it, I think it probably was—if you ask the top three now that this subject has been re-raised, I would say that it was probably national health insurance, NIH and science, and drugs, drug and device FDA-related issues.

Heininger: If you think about it, the things that get the press are IUD [intrauterine device] failures, et cetera. A lot of the FDA issues could be considered very sexy issues.

Shapiro: Absolutely, that's what Larry used them—

Heininger: Things that could grab headlines.

Shapiro: Larry used them for that. We used to say, "We're going to have a seven-camera hearing. What hearing is Larry going to put together next?"

Heininger: You get much less of that, certainly, in the NIH area.

Shapiro: Correct.

Heininger: Until it becomes a very sexy issue or potential. It was there when AIDS [acquired immune deficiency syndrome] comes, and you get the AIDS crisis, which focuses attention in a highly visible way, on the role that the National Institutes of Health can play in this. But in the time period where you're actively working there, it was not. There had been the war on cancer declared but—

Shapiro: No, the sexy scientific issue that got all the play was the saccharin debate.

Heininger: Oh yes, which would have fallen right—well, let's see. It wasn't regulated by the FDA at that point.

Shapiro: Correct, and that was why they passed the Delaney—no, it *was* regulated, and the FDA had to take it off the market, and we got something passed called the Delaney Amendment, which we were all involved in. It was a sexy issue at the time, and it fell within David's purview.

Heininger: That got a lot of headlines. And Kennedy did like to get headlines.

Shapiro: No question.

Heininger: I mean, you need headlines to get things through. Well, at the time that you were there, what was the relationship that you all had on the Health Subcommittee with the personal staff and the chief of staff? You went through a number of chiefs of staff.

Shapiro: We had Paul [Kirk], we had Eddie Martin.

Heininger: When you started, Eddie Martin was still there?

Shapiro: I think that's right. There was Paul. I don't even remember who else was there.

Heininger: Well, Ken Feinberg was there.

Shapiro: Ken was never chief of staff.

Heininger: He was, but very briefly, very briefly. And then he said no, I really want to do Judiciary.

Shapiro: OK.

Heininger: Yes, a very brief period, but he was. Then Rick Burke.

Shapiro: And then Rick Burke, that's right.

Heininger: Rick Burke came in. Wasn't it— I can't even remember what year.

Shapiro: Probably '79.

Heininger: I was going to say, it's either late '78 or early '79.

Shapiro: My relationships were always fine. I had worked with the personal staff. We got done what we needed to get done. We're not terribly competitive. They had their stuff; I had my agenda. I had to fight to get my agenda included into his overall agenda, and I usually did.

Heininger: What was Carey's [Parker] role at this point?

Shapiro: Carey did a bunch of issues. He was the sort of backup policy advisor. When I needed help to get something in to Kennedy that I might not get movement on, I'd call Carey and say I need a favor, and Carey always delivered. Carey was the guy who always worked hard.

Heininger: Including getting a heart attack.

Shapiro: When did he have a heart attack?

Heininger: Oh, he was out, was it early 2000s, early '01 or '02? And he was out for almost a full year.

Shapiro: Really?

Heininger: Yes, very serious. And then subsequently does not work evenings. And it hasn't diminished his role one iota.

Shapiro: He's a loyal, decent human being.

Heininger: He came in '69. In the years you were there, had his unique role been carved out?

Shapiro: Yes.

Heininger: So it was already clear from very early on.

Shapiro: Absolutely. Carey was the last guy to see Kennedy every night.

Heininger: How was that different from the role that the chief of staff had?

Shapiro: The chief of staff did political and scheduling.

Heininger: Then why would—when Kennedy lost his Presidential election bid, why did Larry then become chief of staff, after Rick Burke?

Shapiro: Number one, Rick went crazy; number two, it's a power position. Larry was sort of unique; he tried to control everything, but Carey was still the thoughtful guy. Carey would say to Kennedy privately, "Larry's off his rocker."

Heininger: And both were indispensable.

Shapiro: Correct.

Heininger: And then Ranny Cooper comes in, who becomes indispensable.

Shapiro: And she does the political, she does the scheduling, but she didn't get that involved in policy issues.

Heininger: In the period when Larry was there as chief of staff, did you have a sense that this was a departure in terms of a chief of staff? Well no, because I'd say that earlier chiefs of staff had been both political and policy.

Shapiro: Eddie Martin certainly was not.

Heininger: No, but Dave Burke was.

Shapiro: Right.

Heininger: But that's very early, before the massive explosion of Senate staff, so everybody was doing everything.

Shapiro: And Ranny was not that policy-driven. She was politics, organization, making sure all the pieces came together; making sure that he got all the information he needed so he did well.

Heininger: But when it came to policy, it was Carey's voice that he wanted to hear.

Shapiro: Or his committee staff. I don't think Carey ever overruled me, but the health staff he tended to rely on. It was, where did this all fit into the broader picture that he'd talk to Carey or his chief of staff about. Because one of the things that he had to guard against was, if given our druthers—and subsequent staffs were the same in health—we would have made him the health Senator and he wouldn't have done anything else. But that was our job.

Heininger: Right.

[BREAK]

[Two pages have been redacted]

Heininger: As a reporter. How concerned, did you have a sense, was Kennedy about his own safety?

Shapiro: I think he was totally unconcerned. I remember, we were at the St. Paddy's Day parade in Chicago, at St. Patrick's Day of 1980. He didn't want to wear a vest. We had to make him. Then we had a parade in Boston sometime that summer, I think, or spring. I think it was the Easter parade. I don't remember what it was. He would say, "This is Boston; no one's going to shoot me. I'm not going to wear a vest." We had to make him wear a vest. He was far less concerned with his own safety than I would have expected him to have been.

Heininger: Because the death threats were there.

Shapiro: Oh absolutely, and we were involved in them.

Heininger: Do you think that this was really the only way that he could deal with them, that if you go around living in fear, you'll never get anything done?

Shapiro: Probably.

Heininger: And everybody else was so worried it, let them worry.

Shapiro: And everybody did worry about it.

Heininger: Yes, everybody did worry.

Shapiro: I remember we heard gunshots in the hotel in Puerto Rico and they closed down the hotel. We all went into the bunkers and the Secret Service. . . And what had happened is some crazy guy was robbing the gift shop. [*laughter*] He fired some bullets into the ceiling in the lobby of the hotel.

Heininger: How much contact have you had with him since you left his staff?

Shapiro: I'll see him someplace, either in his office or in Washington, or I'll call for a favor or he'll call me or I'll see him in Philadelphia, I would say every year or two. Phone calls have gotten far less, but I still get them. When Patrick got sick the last time, I got involved a little bit.

Heininger: Did you get involved at all with Kara's cancer?

Shapiro: I did not know Kara had cancer.

Heininger: Yes, she had lung cancer. It was quite serious.

Shapiro: When?

Heininger: About three or four years ago.

Shapiro: Oh, I did not know that.

Heininger: And was told, as with his brain tumor, with his diagnosis, they were told it was not operable. A wide search was gathered and they opted for unconventional treatment and she's been fine. She did end up having surgery and she's been fine. But yes, quite serious. So there's a lot of cancer genes there.

Shapiro: For sure. She's young, too, to get cancer. I did not know that. Patrick, I was involved with, when he got arrested last time, and he went out to Minnesota or Wisconsin or wherever that was.

Heininger: Have you been called on more for the substance-abuse issues that have cropped up in the extended family?

Shapiro: Yes, but also other stuff. Often trivial.

Heininger: Has there been any kind of division of—do you get a sense that there is a division of when they draw on you versus when they draw on Larry?

Shapiro: Yes. I could guess that they draw on Larry, and if they can't find him and they have an incident and somebody says get Stu, that's what happens. [*laughter*]

Heininger: OK, and not by area of medical….

Shapiro: No.

Heininger: All right.

Shapiro: Larry is clearly first dog.

Heininger: So you're the backup.

Shapiro: Yes, and I'm probably not even first backup any more.

Heininger: I don't know.

Shapiro: I don't know either, but he's clearly heads and shoulders top dog.

Heininger: Do former staff call on you?

Shapiro: Occasionally.

Heininger: Do they call on you for policy issues too?

Shapiro: Not so much. It's mostly personal stuff; do you remember this, can you help me with that, do you know anybody in Philadelphia, can you do me a favor of this kind or that kind.

Heininger: Why did you leave?

Shapiro: The election in 1980 went Republican. Kennedy said to me, "Will you stay on as staff director?" And I said no, and he said, "Why not?" And I said because you are going to be in the minority, and he said, "Yes, but it won't make any difference." I said, "It will make a big difference. Every time they want something, you want something, you'll say to me, 'Go talk to Orrin [Hatch] and ask his staff if we can hold a hearing.' And he'll say, 'I'll get back to you.' And I'll come and tell you that and you'll scream at me. I don't want to be here doing that. I've been here four years, it's time I went off on my own and built my own life. I don't want to be a minority staffer."

Heininger: A lot of people feel that way; they don't want to be a minority staffer.

Shapiro: And that's why I left.

Heininger: Well, this has been very interesting.