

**The David and Barbara Pryor Center
for
Arkansas Oral and Visual History**

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Arkansas Memories

Asa Hutchinson

Interviewed by John C. Davis

January 22, 2025

Fayetteville, Arkansas

Objective

Oral history is a collection of an individual's memories and opinions. As such, it is subject to the innate fallibility of memory and is susceptible to inaccuracy. All researchers using these interviews should be aware of this reality and are encouraged to seek corroborating documentation when using any oral history interview.

The Pryor Center's objective is to collect audio and video recordings of interviews along with scanned images of family photographs and documents. These donated materials are carefully preserved in the Pryor Center archives. The transcripts, audio and video files, and photographs are made available on the Pryor Center Web site at <https://pryorcenter.uark.edu>. The Pryor Center recommends that researchers utilize the audio and video recordings in addition to the transcripts to enhance their connection with the interviewee.

Transcript Methodology

The Pryor Center recognizes that we cannot reproduce the spoken word in a written document; however, we strive to produce a transcript that represents the characteristics and unique qualities of the interviewee's speech pattern, style of speech, regional dialect, and personality. For the first ten minutes of the interview, we attempt to transcribe verbatim all words and utterances that are spoken, such as uhs and ahs, false starts, and repetitions. Some of these elements are omitted after the first ten minutes to improve readability.

The Pryor Center transcripts are prepared utilizing the *University of Arkansas Style Manual* for proper names, titles, and terms specific to the university. For all other style elements, we refer to the *Pryor Center Style Manual*, which is based primarily on *The Chicago Manual of Style 18th Edition*. We employ the following guidelines for consistency and readability:

- Em dashes separate repeated/false starts and incomplete/redirected sentences.
- Ellipses indicate the interruption of one speaker by another.
- Italics identify foreign words or terms.
- Brackets enclose
 - italicized annotations of nonverbal sounds, such as laughter, and audible sounds, such as a doorbell ringing; and
 - annotations for clarification and identification.
- Commas are used in a conventional manner where possible to aid in readability.

Citation Information

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**John C. Davis interviewed Asa Hutchinson on January 22, 2025,
in Fayetteville, Arkansas.**

[00:00:00]

John C. Davis: With us today is—uh—among many other public positions—former Arkansas governor Asa Hutchinson. Um—Governor, on behalf of the David and Barbara Pryor Center for Arkansas Oral and Visual History, I want to thank you for sitting down with us today and sharing your Arkansas memories and—your Arkansas story.

Asa Hutchinson: Well, I'm delighted and grateful to the Pryor Center for what—uh—the center does in preserving the history of Arkansas through oral presentations, and I'm honored to be a part of this today.

JD: Thank you, Governor. And—uh—as we do with our interviews, we'll—uh—archive this discussion. And—uh—course we have video and audio. Uh—we'll transcribe this interview as well for researchers. Uh—and then we will—um—not only store it but hopefully make it public—um—in relatively short order so more people can—can see and share—uh—your story. [00:01:02] We like to start the very beginning. Uh—so would you please share with us when and where you were born?

AH: Well, I was born in the—uh—Bentonville Hospital. Uh—and of course—uh—then my mom and dad had a farm outside of Gravette on the Spavinaw Creek, about 280 acres. Uh—Mom and Dad, John and—uh—Coral Hutchinson, moved with their then four children from Oklahoma in 1948. And—uh—they thought they were finished raising their family, but, surprise, surprise, along came my brother Tim, number five in the family. And then along came number six. That's me. And so I was the baby of the family. Uh—five siblings and grew up on the farm—uh—outside of Gravette. Born, again, in the Bentonville Hospital. That was the closest—uh—place that Mom could go.

[00:02:02] JD: And what was the—the date of the birth?

AH: December 3, 1950. Just like yesterday.

JD: [*Laughs*] So thinking to that, you were the youngest of six. And—uh—what were the age differences there? Do you remember how that—how that transpired?

AH: Uh—sure.

JD: That gap.

AH: You know, my four older siblings that—uh—you know—uh—my brother John is ten years older than me. My sister Jeri is—uh—six years older than me, and they staircase up from that. And so there was a gap of six years between—uh—Jeri, the youngest

of the four, and then my brother Tim. Uh—and then Tim was—he's like thirteen months older than me.

JD: Mh-hmm.

AH: So we were raised almost like twins.

JD: Mh-hmm.

AH: Uh—for a long time I never heard my name called, Asa, without bein' said, "Tim and Asa, get here." Uh—that was how Mom would—Mom always would yell. Tim and Asa. *[Laughter]*

[00:03:14] JD: And you mentioned your—your parents names, John and Cora. Do you happen to know how they met?

AH: Uh—not that much. They've done a little bit of oral history, but it's Coral.

JD: Coral.

AH: Coral is—um—my mom's name. And my dad was about six years older than Mom. And—uh—uh—they met in—uh—Oklahoma City, I believe it was. Dad was born in Chickasha, Oklahoma. My mom was born in Aransas Pass, Texas. And—uh—they met while—you know, Dad was out of school. He was, I think—I think they got married when he was twenty-six.

JD: Okay. And—um—you've touched on this a little bit, but growin' up—did you grow up on the family land there, or were you there most of your childhood?

AH: Uh—I—I was. Now first of all, it was an incredible time growing up. Uh—this is in the—uh—[19]50s and early [19]60s, and my dad—uh—made his living on the farm. He had sold the—uh—grocery business in Oklahoma City, made a little bit of money on the sale, came to Arkansas because Mom and Dad wanted to raise their then four children outside of the city environment, and they wanted to have a better lifestyle for—uh—the family. Very reminiscent of today, actually. And—uh—of course, we came along, Tim and I—uh—later in Mom and Dad's life. And—uh—we had such freedom on the farm. [00:04:56] Uh—I remember goin' down to the Spavinaw Creek to swim. And Mom would say, "Okay, go on down there and swim, but you gotta spend the first fifteen minutes throwing rocks in the creek to scare the snakes away." Uh—that was my childhood. And taking suh—a glass—or a Mason jar of iced tea out to my dad mowin' in the upper ninety acres—uh—on the—on the farm. And going barefoot—uh—all week out on the farm. Uh—finding Jesse James' hideout. Now it probably wasn't Jesse James' hideout, but we called it that because it seemed cool, and there was all kinds of wanted posters inside of the old—old—uh—shack up on the ninety acres. And that was our roaming time. And then, you know—uh—we went to school, which was three and a half

miles into town. And the bus took an hour to get home. And we said, "That's too long." And so we started walking to school and back. Uh—and that's how we grew up. It was—uh—an amazing time of fun on the farm, and we were to the age we had to start working pretty hard. That's where I learned to clean out chicken houses and gather eggs and—uh—do the farm chores.

[00:06:18] And then—uh—Dad—uh—to do better in life—uh—he became a USDA poultry inspector. So he inspected chickens for the government—uh—in the poultry industry for Peterson's, for Tyson's. And—uh—and then he eventually sold the farm, and we moved to Springdale. And—uh—I was in the eighth grade in Springdale. And I'm a proud Springdale Bulldog graduate, 1968. So my growin'-up years was balanced between Gravette—uh—which I still consider so much of my home, and my second home of Springdale—uh—where I graduated from high school.

[00:07:01] JD: So backin' up a bit—and this is somethin' I should've asked a little bit earlier. But—um—so you have a name that has—there's—there's—a biblical reference. Is that—is that the inspiration for your parents? It's—it's—there aren't many Asas, aren't many people named Asa out there, so is that the—was that the reference, the inspiration, or was there a family traditional name aspect?

AH: Well, both—uh—I mean, Asa, of course, is the Old Testament—uh—King Asa of scripture, and—uh—he was a good king of—of Judah. Uh—but then—uh—it's also a family name. So I'm named after my Uncle Asa out of Ada, Oklahoma. That's—uh—my dad's brother. Uh—and—uh—so I was named after him, and there's some other Asas in our lineage that goes back. So it's a family name and a Biblical name as well. [00:07:57] Now part of the story is—I didn't realize it until I was—uh—out of law school and practicing law and, for some reason, I needed a birth certificate. I got my birth certificate, and the name Asa was not even on my birth certificate. It was William Blank Hutchinson. And the story is that Mom and Dad couldn't agree upon my middle name. Dad wanted it Asa after his brother. And—uh—Mom thought that Billy A—there's a Billy Asa in our heritage that was a little bit wild, and so she didn't particularly like the name. So it wasn't even printed on my birth certificate. I had to have my—actually legally changed the birth certificate to reflect William Asa Hutchinson.

JD: Oh, wow. So that's the full name, now. It—it was added legally later. Fascinating. [00:08:49] Um—so you've talked a little bit about growin' up. One thing that occurs to me, too, is you grew up in sort of an idyllic way. I—I mean, the—the routine that

you've talked about. You also grew up in Northwest Arkansas right before significant growth that we're still seein' today. And so I just wonder can you compare and contrast even what things look like or—or the daily rhythms of life even in Bentonville or Springdale. I mean, Gravette as well. I think people who might hear or watch this later, you know, will appreciate knowing what it was like being a child in that era up in this part of the state.

AH: Well, it was obviously a totally different—uh—Bentonville was probably about 8,000 in population at that time. Gravette was—uh—1,000 when I was growing up. Uh—Springdale was goin' to the large city. And of course, it was really—uh—the poultry capital of the world then and proud of that heritage and—and of course Dad—uh—did inspection in the chicken plants. And so—uh—it was—uh—you know, Lloyd Peterson—uh—Dad knew.

[End of verbatim transcription]

[00:10:03] AH: Actually, Lloyd Peterson tried to get my dad to put a grocery store in Decatur with my dad's experience in that business. And he thought a lot of these people. And the relationships in the farming community were supporting the neighbors. I remember when we actually took a vacation. I think we went down to Florida to see my brother John play in the Tangerine Bowl. Well, neighbors had to come and watch the

chickens and to gather the eggs in the morning or to feed the chickens and to watch the cattle. And so—and my dad, whenever he would have a combine or a hay baler, you know, he would make sure we took care of the neighbors and shared our, you know, workload with them, and they shared their workload with us. And we did dehorning cattle. And that was when the neighbors got together, and we dehorned the cattle. And things that, you know, was routine then. And I hope it's still special in the farming community. [00:11:09] My mom and dad were incredible in terms of giving us the freedom and the love in our home. And so—yeah, I was blessed with two parents that loved me and guided me and taught me the simple values of life, of hard work and responsibility and helping neighbors and importance of community. And that's what it was like then. But it was very, very rural. Whenever we moved to Springdale, John Kennedy was president. And I recall, as a young boy in Springdale, him challenging America to do the Marine fifty-mile hike. He said, "We gotta get in shape. I want to challenge everybody to get out there, do the fifty-mile Marine hike." I'm twelve or thirteen years old at the time, and my brother and I said, "Let's do it." And so—and Mom and Dad gave us the freedom to do it. We got up on a Saturday morning, and we foot

raced from Springdale to Gravette. Now that's just about thirty-five miles, but, you know, it caused me to go through Highfill, through where is now the airport. Obviously there is nothing there. We walked that entire route over to Gentry, Decatur, and down to Gravette. And then we hitchhiked back home. We're in our low teens. I mean, we're twelve, thirteen years old, and we're thumbin' rides and—in an extraordinary rural environment. And farmers would see us, and they might know us, or they might know that we're young kids needin' a ride, and so they would stop. And that was a little bit of the environment then. Totally different.

JD: There's real charm in that. Did you—you mentioned, you know, that—obviously the positive influences your parents had on you. I know faith has always been an important part of your life. Did that begin to be instilled at a very early age?

[00:13:12] AH: That's right. You know, it was very important to Mom and Dad, and I—and they grew in their faith and their spiritual convictions as we got older and they increased in life. But in Gravette we went to the—what was then called the Gravette Bible Church. And Bruce Long was the pastor. He was a John Brown University student. He had one arm. He'd lost his arm in a farming accident in Kansas. But he would, after school

on Wednesdays, have what they call Giant Fighters. And that would be a bunch of sweaty boys after school coming over, and we'd play football, and we'd build go-carts, and then he would take us in, and he would have us memorize some scripture and also teach us a Bible lesson. And so through that, I became a Christian, knew the Lord, understood the need of salvation. And it was an important part of our family is where we went to church on Sunday morning, Sunday evening, and then Wednesday evenings. So it was a three time a week. And if we had a revival service or a missions conference, we were there. Small church, and Mom and Dad always said that if you go to church seeking a blessing, you will be blessed. And so it was an important part of our life. Continued to be.

[00:14:50] JD: You've touched a couple times—you mentioned your brother John and a Tangerine Bowl, you know, playin' sports with, you know, youth group on Wednesday nights, playin' football. And then, you know, you're well known to still run and play basketball to this day. Has sports always been an important part of who you are?

AH: It has been. I mean, I enjoy the competition. I enjoy the challenge physically. And whenever I was—I mean, in Gravette, of course, Coach McAbee was our all-around coach. And he

coached my brother John in football. He coached me in Little League baseball. Went to Springdale. And I was in band as well, and so I played the trumpet in junior high band, and then I started playin' football whenever I was a sophomore in high school under **Coach Jarrell Williams**. And so I played three years under him as a defensive end, as a split end. And course now I love basketball, and then I just played intramural basketball or what the—community center basketball. But I always loved it, and we continued to play it. Sports was an important part of the life. Mom and Dad also had a love for music and made sure I learned how to play the trumpet.

[00:16:20] JD: That's wonderful. Were there any other extracurriculars? We'll get into maybe favorite subjects or teachers here in a minute. We always love to ask those questions 'cause those are people that have influences on us that, you know, seem to carry the rest of our lives. Were there other things you did? I mean, probably still helpin' out with the family, of course. You had sports and band. Were there any other extracurriculars?

AH: Well, of course in Gravette, we lived out in the country, and it was always hard to get in for all the sports activities, but notwithstanding that, we played Little League baseball and

participated. But I also had my first job. And so my first job was shining shoes at Johnny's Barber Shop on Main Street in Gravette. I was a little bit of an entrepreneur. I got my shoe shine box and shined shoes. I believe it was twenty-five cents for shoes and fifty cents for boots. But then after a while I said, you know, this is getting a little bit old, and so I sold my business to another classmate of mine and then moved on into mowin' lawns as we did in Springdale. [00:17:36] So working was always a big part of my growing up, both in Gravette but primarily in Springdale. And I hauled hay in the summertime. I worked at Harp's grocery as a stock boy. And then I worked at Welch's grape juice, which was then a key part of the fabric of Northwest Arkansas with the grapes coming from Tontitown. They—processing them. I had the thrill of making grape jelly preserves and grape juice and seein' the factory environment while I was in high school. So those activities were important, but football was a part of it. You know, the sports environment. I was on the tennis team. They'd just started that. And course, that was in the day when you had football coaches teachin' you how to play tennis. So you can know how skilled we were. [JD *laughs*] But sports was an important part, and it stuck with me. I went to college, and I continued to play sports when the

aven—the opportunities I had. And then, as you know, through my adult life, I became an international pickup basketball star, which is a different story.

[00:19:00] JD: [Laughs] We'll have to get to that here in a little bit. So did you have any favorite subjects? We'll talk later about how you go into the law, but before that you study accounting. So in especially junior high, high school, were there certain classes or influences that you think encourage you to pursue those lines of inquiry later on?

AH: You know, I always liked to learn and, you know, be competitive, actually, in the academic side as well. You know, I floundered a little bit in my senior year in high school and goofed off a little bit too much. But you know, it was always history. But I enjoyed the math side. But my mom and dad never went to college, made it through college, and so they were high-school graduates. And so they knew education was important, but they didn't explain how to get it done, necessarily. And so goin' to college was a new adventure in my family, and I was encouraged to go. But whenever I was workin' at Welch's grape juice factory, I thought, "Man, this is more money than I've ever made, and I'm enjoyin' this," and it actually—thought about not goin' to college. And of course, I was persuaded otherwise. So I

was a good student, but I—as I went through college is where I really started to understand the usefulness of learning and how lifelong learning was so important.

[00:20:42] JD: And you go to college in South Carolina, is that right? Bob Jones University? So how—you know, pretty far away, especially from a kid in Northwest Arkansas, so how did that happen? How did you become aware of the university? Did you know someone who had maybe attended or a church connection or something of the sort?

AH: Yeah, Bob Jones University is a very conservative Christian school over in Greenville, South Carolina, and we would not even know about it except our pastor, Carl Chewning, was a graduate of Bob Jones and talked to Mom and Dad about, "Your boys just might need that kind of discipline." [*Laughs*] And so—and it was sort of tempting, you know, being in Northwest Arkansas. That's cool to say we're goin' to college out east. And so getting away, the freedom of that, even though it was a very restrictive environment at Bob Jones University—that's what caused me to go there was a pastor that encouraged that.

[00:21:48] You asked about the study side of it. You know, it's amazing. I didn't feel political, but I always enjoyed watching that environment. And of course, growing up in the [19]60s

and—I sit around—I mean, I remember bein' at the house during the Cuban Missile Crisis watching the news and bein' so concerned about what's gonna happen and whether we're gonna get into a nuclear war and the reality of that, but also the— where I fell in love with Ronald Reagan was listening to his "Time for Choosing" speech, the speech for Goldwater whenever he ran. And I remember Election Night my brother and I havin' our can of Gold Water. And so not that political, but I remember those political experiences even goin' through high school.

[00:22:46] JD: And so I was wondering about that. Was your family—obviously Tim goes on to have a political career as well. Was your family—would they discuss politics? Would your parents discuss voting or civic engagement and anything like that in the home?

AH: You know, they would to a limited extent. I remember the Kennedy/Nixon election and how Mom and Dad disagreed, and they split their vote. It was a very close election. And so they were very independent. So they were not party oriented. They did not say they were Republican or Democrat. They voted for the person. And I do remember they were fairly conservative. He had a few choice things to say about Senator Fulbright from time to time, thought he was a little bit too far left. So they

expressed themselves and would sort of do some of the opinions, but they were not party oriented.

[00:23:50] JD: And did—when you went to Bob Jones University— and of course, you're pretty far away from home. Was the plan to come back, to come back to Arkansas, or had you even thought that far ahead at that age?

AH: You know, at that age and where I was in life, I was takin' it a step at a time. But yeah, I always considered Arkansas home and expected to be there. But I was an accounting major at Bob Jones, but my senior year I got into debate. And one of the debate topics caused me to go to Clemson Law School to do some research on the debate topic, and I started reading some of the cases. And I said, "Wow. This is great." And so I just fell in love with the law, and I thought about goin' to law school. So I switched from accounting, took my LSAT test, Law School Admissions Test, and I got accepted into the University of South Carolina. And I'd applied to a couple other schools, but South Carolina accepted me, so I was gonna go there. [00:25:00] I came back that summer, and I met with Jimm Hendren, who became a federal judge. He practiced law at the Bentonville square. And he said, "Asa, if—where do you wanna practice law if you go to law school?" I said, "Well, I wanna practice law in

Arkansas." He said, "Well, you need to go to law school here."

And so just in a matter of a couple weeks, I switched from South Carolina Law School to Arkansas and going back to school here because I did want to return here.

[00:25:34] JD: So it's—you've mentioned growin' up—you know, there's Ronald Reagan who's, at that time—if he isn't, he's about to be governor of California, around that era, I suppose, sort of this new—a new conservative voice, a movement, really, is starting, and Senator Goldwater's certainly the forefront of that. At that point, did you feel that you were aligned more with a party, or was that somethin' that happened later? And what I'm gettin' to is you come back, and you go to law school in Arkansas and—one of the most Democratic, party-affiliated states in the Union. And yet you, as we'll get to later, build an incredibly inspiring and successful career in public service and in partisan, Republican politics. So I mean, I wonder how that happened. So you start law school here. Are you already identifying with a party?

[00:26:33] AH: So—no, I was not. I mean, I was focused on law school. But it was an incredible time because when I was in law school at Fayetteville, you had the Watergate investigations ongoing, Nixon's troubles. And so I would scurry home to my

boarding house after law school, and I'd watch the evening news about Watergate, and it was just an incredible time, but that was a terrible time for the Republicans nationally, and that led to Bill Clinton running against John Paul Hammerschmidt, and it was a very close election. But when I finished law school, I did start practicing law on the square of Bentonville with Jimm Hendren. I was a young associate attorney in his office. And the first campaign I was involved with was David Pryor running in the run-off election against John McClelland for the United States Senate. And it was partly because Jimm Hendren was a classmate of David Pryor, as it seems like everybody was a classmate of David Pryor [*laughter*], and so Jimm had David Pryor over at the Gravette Picnic. And I went there. I met David Pryor. And you know, Jim had some people goin' knockin' on doors, so I joined him and knocked on doors in Bentonville for David Pryor. So that was my first campaign for a Democrat running against John McClelland in a runoff election. [00:28:07] But then soon after that, you know, I started looking more seriously at the political environment and where I wanted to be. And it was because of Reagan's conservatism that I identified with the national Republicans that were more conservative. And the belief that we needed a two-party system in Arkansas

motivated me to become a Republican. And I'll never forget coming out of the courthouse in Bentonville after a docket call over there, and Jim Mixon comes up to me and—he was an attorney in Bentonville. And he said, "Asa, if you ever wanna be a prosecutor, if you ever wanna be a judge, you wanna progress in the legal profession, you gotta be a Democrat." He said, "It's a Democrat state. It's always gonna be." And course, I'm a little bit stubborn, but there's three reasons I went with the Republican side. One was I wanted a competitive two-party system in Arkansas. Secondly, conservative philosophical beliefs. And thirdly, the Democrats had a party loyalty oath that you had to sign that you're gonna support the nominee of the party up and down the ticket, and I, reflecting my parents' independence a little bit more, said, "No, I don't like that." And so those are the reasons I joined the Republican committee in Benton County, and at the time there was no real Republican Party in Arkansas.

[00:29:40] JD: And you know, lookin' back for people who might not be perfectly aware of the political history of the state—and not to make you dwell on this or seem overdramatized, but it took some courage. Because you're a young attorney. You're tryin' to build a professional life and career. And it's still a small

community. People would know you're—"Oh, you're the—you're that Republican." You know, that single Republican. So could you—do you recall any instances where that hurt you? That hurt you professionally or—I don't know, maybe even personally. Because it was a rather unusual move for a young, ambitious attorney in Arkansas at the time.

AH: Sure it did. I mean, I—and course the Republican Party embraced me. I'm a young attorney, I'm a professional, we're—they're—I'm the kind of person they needed to have in the party to grow. And so I became very engaged. And in 1978 I ran for prosecuting attorney. That was—of course you ran as a partisan. And then David Clinger was running as the Democratic candidate, and he won the Democratic nomination. And the Prosecuting Attorneys Association had their training conference for newly elected prosecutors, and they had it after the Democratic Primary before the November election.

JD: Jumpin' the gun a bit.

AH: Well, certainly. And so I raised my hand and said, "Hey, how 'bout me? I'm still, you know, competing for this." And they sort of laughed you off. And it was very, very difficult because they're just—it was a Democratic state. And people supported it out of political convenience. They supported the Democratic

Party and the Democratic candidate. So you know, you lost elections. But you progressed. [00:31:41] And even though it was an extreme disadvantage, every time I ran, and if I lost, it built my esteem and respect in the community. And so while you do pay a price for it, it's all about how you conduct yourself in a competitive political environment. And for me, I think I grew as a candidate, as a leader, and people respected me for how I conducted myself.

JD: We'll get more into—more in depth, I think, into your public service and your political career, but also I wanted to ask at what point did you meet Mrs. Hutchinson—did you meet Susan? It seems that your political career was very much—and has been and continues to be very much a partnership. And so if you would, when and how did you all meet?

[00:32:36] AH: [*Laughs*] Well, I'll tell you the short version. When you talk to her she'll—you'll get a very long version of this. And but we met at Bob Jones University. She's from Atlanta, Georgia. And she, in her sophomore year, moved to go to school at Bob Jones. And we didn't meet until my senior year. And I had broken off another serious relationship. And I was determined in my senior year that I was gonna go to law school footloose and fancy free. But Susan had other designs. And so

we did date my senior year. We met, really, through debate and through—they had—at Bob Jones University everybody ate in a common dining hall. And you were assigned tables. We were assigned the same table. I met her, engaged in conversation, and we started dating there my senior year. But whenever I decided to go to Arkansas law school, she was still planning on going to grad school in South Carolina. And whenever she found out I was go—I'd moved to Arkansas, she said, "This is not the end of it." I'd sent her a Dear Susie letter sayin', "We don't—you know, a long-distance relationship's not gonna work, bye, bye, bye." And she said, "No, I'm not gonna have any of that." So she moved into teaching, and she got a job teaching in Memphis. In her mind, that's as close as I should get to Arkansas without bein' too forward. And she changed her whole path in life to make sure we had opportunities to see each other again. [00:34:24] And then—so I'm in law school, and I had—I'd already sent her my Dear Susie letter. And one night we get a call—I get a call in my boarding house from a friend of hers who had sort of mentored and provided a home for her as she was a young lady out of town and in Memphis. And anyway, he calls up and said, "There's this young lady here wants to talk to you," and put Susan on the line, and she's embarrassed to

death. But I said, "Yeah, I'd love to come see you." So I started goin' to Memphis, reignited our relationship, and married a year later while I was in law school. But part of that love story is her tenacity in sayin', "I'm not givin' up on this relationship." But then I responded with equal tenacity because I couldn't afford law books, buyin' law books and payin' for gas in my car. And so I hitchhiked. I parked my car, and I hitchhiked from Fayetteville to Memphis a couple times a month to see her on the weekends while I was goin' to law school. And so that all worked out great and gave us a good foundation for a long marriage.

[00:35:43] JD: Absolutely. That's wonderful. How long did it take to hitchhike from Fayetteville to Memphis?

AH: Well, sometimes it took a long time. But it'd all depend upon the rides and everything. There's only one time I got stuck and couldn't get back. It was about three a.m. out there on the interstate highway, and nobody would stop. But you know, beyond that, we'd always get a good—I would get a good trucker that would take me up the interstate. And it was a different day and time that you could do that. And I hitchhiked from Bob Jones University home for Christmas one year. And then I had in my mind I would go to Atlanta, Georgia, and meet Susan's

parents. And so I hitchhiked. Well, hitchhiking works great until you want to impress your future father-in-law. And it's not the best way to ask for his daughter's hand in marriage. But I hitchhiked quite a bit during those times.

JD: And it seems that, you know—and we'll talk a little bit more about, you know, just having the kind of public life that you've have, you and Susan have. You have children, you have grandchildren. It's a public life, and it's a public life for everyone. Early on, did you and Susan talk about this, you know, political movement, really, that y'all were gonna be a part of for several decades? I mean, maybe not everything's planned out, but I'm sure there were conversations where, you know, both of you had to buy in at some point. I just wonder how and when did that transpire? Was that early on?

[00:37:34] AH: Well, you're right that we did not plan every step of our life, and we couldn't really anticipate what was ahead for us. I mean, whenever we first got married, I mean, I promised her a life of difficulty as a small-town practicing lawyer. I mean, that was my goal. And whenever we were in Bentonville, we wound up on fifteen acres in a little rabbit farm outside of Gravette. Oh, excuse me, outside of Bentonville. And we had a double-wide mobile home. We had three kids there at the time, and it

was the time of our life. We just loved it. We could go out and pick raspberries and blackberries, and I had built a little fence and had some cattle out there. And so I was a country lawyer in every sense of the word, and we were enjoyin' it. But whenever you are a person of faith, whenever you wanna make a difference and impact people's lives in a good way, and you're a lawyer, and you're involved in the community, it gradually leads you into the political arena. And she was very supportive every step of the way, but we didn't know what was ahead for us. I mean, we didn't think about running for Congress, we didn't think about ever bein' governor. We were just takin' it one step at a time. And of course when I was appointed United States attorney was a big opportunity to move into a higher level of opportunity for me. And then you had more serious discussions. But we took some big steps. We always took them together. And she's always been very supportive.

[00:39:22] JD: We'll get to you being appointed by President Reagan, but you mentioned running for prosecutor and being involved in local—more local politics. How were you able to do that, and were you able to do that successfully with balancing, you know, a young legal career? What are the challenges people face when they're tryin' to pursue both?

AH: Well, I mean, the advantage is you get your name out whenever you run for local office, and so people know you. And that actually was beneficial in building your practice. But over time as you get more engaged, it's a detraction. And so it depends upon where you are in your life and your practice of law. I think the legislators that serve probably sacrifice the most because they're taken away from their practice of law. You know, from my standpoint, I was continuing to build it for the first seven years and my—when I became known, it actually brought in business for me. And I had some very interesting cases early on. But practice of law for me was always very important. People think about my public career, but I've spent twenty-five years practicing law. And part of it is, if you ran and lost, you go back to practice law. It's how I made my living. And I always enjoyed it. I never soured on it, and it's a very big part of who I am as a person, not just my faith and the political side, but it's also the rule of law and being a lawyer.

[00:41:17] JD: What are some of those interesting cases?

AH: [*Laughs*] Well, my first jury trial, when I was practicing law in Bentonville—I went to law school with Jim Gresham, who started practicing law in Harrison, and he called me up one day, and he said his partner, Roger Logan, who was a state senator,

Democrat, of course—but he was representing J. D. Tedder, a preacher, against Black Oak Arkansas. And the story is that Black Oak Arkansas had a concert in Harrison, and J. D. Tedder, the Baptist preacher, started railing against them for having music that was violent, that was sexually oriented, and that was Satanic. And so probably a little bit of a publicity stunt, but Black Oak Arkansas sued the preacher for slander. Roger Logan is defending the preacher, and it gets very politically difficult for him. So he wanted somebody to come in and help him try the case. And so he—my friend Jim Gresham calls me, but Jim didn't tell Roger Logan that I've never tried a case before.

[Laughs] So we go down there, and my first cross examination was against Jim Dandy Mangrum, the lead singer for Black Oak Arkansas. And tryin' this case in front of the jury—it was on the front page of the *Arkansas Gazette* at that time, so it was highly covered, high publicity, and that was my first trial, against Black Oak Arkansas.

[00:43:07] JD: How did it—what was the result of that one, the verdict?

AH: Well, the result was that—our defense was what he said was true. Truth is an absolute defense to slander. And the jury came back with a verdict against the preacher but assessed cost

against Black Oak Arkansas, so they just sort of split it down the middle and did not make any finding against the preacher. So it was probably a split win.

JD: That's a colorful start to a jury trial career, isn't it? That's—there aren't many people that would have a case that interesting, probably, starting out.

AH: I've—as my wife says, everywhere I went, there always seemed to be something exciting happening. [*JD laughs*]

JD: Are there any others early on that really—we'll get to some more high-profile cases later, particularly with your work with—as US Attorney, and we'll talk about, of course, the impeachment prosecution of President Clinton. But early on in those days, were there others that really stick out to you?

[00:44:12] AH: Well, I mean, my—shortly after that, because I tried that case in Harrison, Arkansas, and Black Oak Arkansas, I had a realtor come to me and said, "I've been cheated out of a real estate commission on a sale of property," and so I took that to a jury, and we won. Not high profile, but it was a good result. And but the fact is, I'm a young lawyer, and so I'm not getting the biggest cases other than those unusual ones. But what I—I was with Jimm Hendron for a year, and then I went out on my own, so I'm one year out of law school. I'm a sole practitioner.

And it was in a day that the other lawyers wanted to make sure that everybody had enough work to keep bread on the table. And so they would refer matters to me. You know, if I had a question, I could call 'em up, they would help me out. It was that camaraderie that was important in the legal profession. But I als—it was a time in Northwest Arkansas—this is in the late [19]70s, early [19]80s—where the real estate started really moving. And of course, I sent the word out that, hey, if you've got a real estate contract that needs to be drawn up or a title opinion, you bring it in one day, I'll get it out the next day. Well, realtors would line up because, you know, they wanted a quick action. So I was able to build a good real estate practice, actually. And then I was City Attorney of Bentonville, so that gave me a city prosecutor capability in the courtroom.

[00:45:55] And I'll never forget my first year. We're tryin' a DWI case in circuit—in district court there in Bentonville right on the courthouse overlooking the square. And I'm there with Jimm Hendren, and it's snowing outside. And during a break, we go over to the window, and he says, "Asa, it doesn't get any better than this. Fightin' for justice in a small case in the courtrooms of Arkansas."

JD: That's great. That's really great. You mentioned a—you know,

being city attorney and having a practice. And sometimes when I talk to people, they're surprised you can do both. I just wonder if you could take a moment to explain how that works, how you were able to balance this official role with this—with a legal practice. So sort of public and private at the same time.

[00:46:48] AH: Well, Bentonville at that time was a town of 9,000, and you know, the city attorney was not a full-time job. And you, you know, you could prosecute the cases in district court, which are misdemeanor cases, represent the city on matters, and you drafted ordinances. But you had your private-practice law as well. So it's really a good supplement to your practice, and you had to avoid conflicts. Obviously I couldn't defend people, you know, on those misdemeanor cases. But yeah, it was wonderful experience for me under—learning that understanding of city government and how that worked.

[00:47:34] JD: And at what point do you begin to—I mean, we're getting close to—we may have a few years there on the timeline. At what point do things transpire that lead you to being appointed by President Reagan?

AH: Well, what led to that was the election of 1980. At that time I am chairman of the Benton County Republican Committee, which put me on the Election Commission, so—and I was the city

coordinator, not the county coordinator, but the city coordinator for Ronald Reagan and his campaign. And this is when he's running against Jimmy Carter. And I had worked for him. And I'll never forget, we bought a full-page newspaper ad that said, "It's time for morning in America. We need Ronald Reagan as president," and it cited a few more reasons. And it was signed Sam and Helen Walton, Jim and Lynne Walton, Asa and Susan Hutchinson with a few other contributors to it. But it was a defining election. And so Election Night, Ronald Reagan wins. The Republicans win the United States Senate, which was a shock. And Frank White beats Bill Clinton. And shortly thereafter I'm walking out of the courthouse, and that same Jim Nixon who had told me that you'd better be a Democrat if you ever wanna have any opportunities, he looked at me, and he said, "Asa, you might be able to get appointed United States Attorney." And I never thought about it until he mentioned that to me, and I started pursuing it. I wasn't even sure what a United States Attorney did. [Laughs] And John Paul Hammerschmidt, who was our sole Republican congressman and federal official supported me in that, made my recommendation to President Reagan, and he appointed me United States Attorney at the age of thirty-one, the youngest in the nation.

[Recording stopped]

[00:49:50] JD: So, Governor, we took a short break. We left off talking about the 1980 election and really the transformative aspects of that election cycle for not only for Republicans in the South but Republicans nationally, really the country as a whole and you having an active role in the Republican Party in your county where you're practicing law. It was suggested to you that perhaps there'd be an opportunity for you with then President-Elect Reagan going into the White House and building his administration. And so, as it's well documented, you're named the US Attorney for the Western District of Arkansas at the age of thirty-two.

AH: Thirty-one.

JD: Thirty-one. So a very, very young par—early part of your career, but also a very young appointee. And I wanted to ask you, just if you would, share with us just the process, how that happened, what anyone undergoes, really, when they're being considered for a position like this. And then we'll get into a little more about some of the cases and some of your involvement there as well.

AH: Well, in terms of a United States Attorney appointment, every state handles it a little bit differently. But here in Arkansas, by

tradition and practice of the Justice Department, they lean upon the recommendation of the senior, in this case Republican, leader, John Paul Hammerschmidt, to make a recommendation. If we had had a Republican US Senator, they would have been able to make the recommendation to the Justice Department and to President Reagan as to who to appoint. So it was really—John Paul Hammerschmidt was the key. [00:51:41] And it was remarkable that he took a risk on me. And I don't think he initially wanted to appoint me. In fact, you know, I have recommendation letters to him from Lynn Lowe down in Texarkana, to other good Republicans across the state, business leaders, law people that would send him a letter sayin', "Hey, Asa Hutchinson will do a great job on this." And so you know, I was probably in the final four that was being considered. But he would send me over to Judge Eisele or to—he'd say, "You need to go interview this person. You need to go interview over here." And it was tryin' to get me shaken out of the mix. But everybody I talked to, I think, spoke favorably of me, and so I kept bein' elevated in it. And he really wanted to appoint Mike Fitzhugh, who was an assistant US Attorney. Great experience, and he knew his dad in the re—from Fayetteville. And you know, ultimately, John Paul Hammerschmidt called me over to

Eureka Springs, Arkansas. I met with him at his mobile office. And he said, "I'm going to make a recommendation that you get the appointment." And I'm always indebted to John Paul Hammerschmidt for takin' a risk on me.

[00:53:11] JD: So there's sort of the unofficial vetting. Is there official vetting that happens through the Department of Justice as well?

AH: It—yes, exactly. And usually—in this case, John Paul Hammerschmidt will submit a couple of names with mine underlined, saying, "He's first." And then the Justice Department goes through their own background check and investigation along wi—as well as the White House Counsel. You're called up to interview with the Attorney General's office. And you pass all of that, and you pass a background check, you're in. And then you go through Senate confirmation, which then—and you contrast where we are now versus then, Reagan gets elected and sworn in office in early 1981 when he's inaugurated. It's March of [19]82 that I'm actually sworn in as US Attorney. So it was about a year and a couple months. Which is like record speed compared to today. And they've gotta reform that process.

[00:54:22] JD: Did you sit down and talk to US Senators through

the process or—I mean, we didn't have—as you mentioned, both US Senators in Arkansas were Democrats. Did that matter? Did you have to pursue some Republicans to support you in that endeavor?

AH: No. It was really John Paul Hammerschmidt, and it was recognized as such. Now we did send a few letters, copies, to the senators at the time, but they gave that prerogative to John Paul Hammerschmidt to make the recommendation, and he had the respect in the delegation to do that.

JD: When you think back, Congressman Hammerschmidt was sort of the, in many ways, the dean, right, of the House when it came to Arkansas Republicanism because he raises—rises to the ranks in the [19]60s there in the 1968 election—[19]66 election. So by the time you're in there, he's very well established and very well respected among, I imagine, really both parties, members of both parties.

AH: Absolutely. And he was a very close friend of George Herbert Walker Bush, who was then the sitting vice president. And so he had clout within the administration. He had clout on the Hill. And there just—it was recognized it was his appointment to make, and he did.

[00:55:48] JD: So—and I know there's—for every one of these

individuals, there's many, many others undergoing the same process. At what point were you able to interact directly with President Reagan or his administration or his staff through this process?

AH: It was primarily through the Justice Department. And I've been through numerous confirmations since then, and it's a more rigorous appointment and White House interviews, Senate meetings. But for United States Attorney, it's—if the Department of Justice approves it, unless there's some red flag, it goes through fairly easily. Sometimes it takes some time. But my meeting was with the Department of Justice. I went up there and met with them. And William French Smith was then the Attorney General. Meeting with him. And they usually would have somebody from the White House in those meetings as well. But once John Paul signed off on it, once my background was completed—and there was, you know, some questions. "Hey, you've only practiced law seven years. You don't have the level of prosecutorial experience of many other US Attorneys." And I always had to, you know, make the case that I'm ready to go. I can handle it. And it didn't deter anyone.

[00:57:19] JD: So you're appointed. For those not so familiar with

the job, the role, what exactly does it entail today or—I mean, it'd presumably be very similar. What did it entail at the time?

AH: Well, the—it's same today as it was then. The United States Attorney represents the government of the United States, both on civil matters but also on criminal matters. And of course, that's the biggest visible responsibility is the federal prosecutions. And so you know, today whether it's, you know, a Biden investigation or a Trump investigation, US Attorneys or Special Prosecutors handle those. And for the Western District of Arkansas, it goes from Harrison down to El Dorado. And so it's a very big district, and there's only—there—usually there's two in a state. I think there's ninety-three US Attorneys 'cause some states only have one. And so it's a more exclusive club than the United States Senate. There's fewer US Attorneys than US Senators. And so extraordinary power, visibility, and many US Attorneys in large offices have to be administrators. They never get in a courtroom. The Department of Justice say, you know, "You've got to administer the office." But in—we were a small office. We had five attorneys at that time. And I made it clear that I wanted to try cases. And we had a small enough office that they needed me. So that was the big difference for me is that it was unusual for a US Attorney to try the many

criminal cases that I did.

[00:59:16] JD: And some of those were particularly high profile.

And I'll—I've got a couple in mind, but I wonder were there some that stick out to you that we should discuss?

AH: Well, of course, in the—you gotta remember in the early 1980s, when Ronald Reagan was president and I was United States Attorney, they had so many different tools that they brought in to fight the war on drugs, which now we don't call it a war, we call it a fight against illegal drugs. But Vice President Bush was given the responsibility of leading that effort. And we had two thirds of the drugs coming through Miami in Florida into the United States of America. It's the time of *Miami Vice* and incredible strength of cartels and criminal organizations that we were tryin' to target. We—in that time we created asset forfeitures and OCDEFT and so many—the FBI, for the first time, was brought in to prosecute and investigate illegal drugs as well. So the focus was on cocaine, which *TIME* magazine put on their cover as being the new social drug. And it was almost—the health consequences, the addiction, and all of the other negative aspects were not bein' focused on, and cocaine was being pushed as being almost socially acceptable. [01:00:56] We tried to turn the corner on that and—as well as with the

marijuana production in the hills of Arkansas. That was the big focal point while I was United States Attorney. And that led, of course, to the investigation in Hot Springs of a drug organization that—Maurice Rodriguez from Columbia was bringing in cocaine straight from Bogota, Columbia, into New York City and then into Hot Springs, Arkansas. And Roger Clinton was engaged in that as well as Sam Anderson, attorney, a young attorney there that was involved with that and was ultimately indicted in a case that we prosecuted. So I'll never forget the Arkansas State Police, Tommy Goodwin, callin' me up while I'm tryin' another case—and this is when you had to go out to a pay phone. *[Laughs]* And he says, "Are you willing to handle a rather controversial case?" And I said, "Well, sure. What is it?" And he said it was the investigation of the governor's brother. And of course the state police reports up to the governor, but they wanted to go federally so it, you know, got the attention and it was not swept under the rug. And to then Governor Clinton's credit, he made sure he was hands off, and that he let the state police do its investigation even though his brother was the target of it.

[01:02:36] JD: So one thing that we—and you've touched on this a little bit, I think. You know, there's an administrative aspect, and in your case you're able to try a lot of cases. Sounds like

you were involved from the beginning of the investigation to the closing argument in many cases, which I imagine would be somewhat rare in this situation. Do you know how many, roughly, how many cases you were engaged in during this time?

AH: Well, [*laughs*] I mean, hundreds of cases I was engaged in, but I tried over forty jury trials in major criminal cases while I was US Attorney. And I was engaged from day one. And the practice is that if a FBI agent or ATF or other federal agency wants to pursue a case, even at the very beginning stages, they'll come in to visit with the US Attorney or the Assistant US Attorney and say, "If we bring you this case, will you prosecute it?" And so you're engaged in the very beginning and setting the priorities. And then you present it to the Grand Jury. And so—of course, you gotta remember I'm the youngest US Attorney in the nation. I wanna set a good example. I wanted to showcase we're gonna go after crime. So my first day in the office as a new US Attorney, I had my staff meeting. I said, "What's going on today?" and they said, "We have a Grand Jury meeting." I said, "How many cases are you presenting?" And they said, "Well, we aren't going to be able to present four cases because an assistant is sick and not here." And I said, "Well, is there any reason that I can't present those cases?" And they all looked at

me, stunned. And I had to prep for 'em. They got me prepped.
[01:04:30] And so my first day on the job, I presented four cases to the Grand Jury. And so we set a new tone in the office, and that gave confidence to the federal agencies, hey, we got a US Attorney's gonna really cover us and goin' to go after the case that we present to him.

JD: And you were known for that. I mean you were known as, you know, energetic, aggressive. And that kinda leads us to maybe the most notable—I know there were a lot of important cases but—and particularly your involvement in the Covenant, the Sword, and the Arm of the Lord and the, really, the beginning of the end of the prosecution there. I wonder if you could share that story with us.

[01:05:12] AH: Well, it was a case of significant national importance. It was a time in our country that we had the rise of the extreme right, the Posse Comitatus, the Christian Nationalist, the—that—and the tax protestors all combined into having violent convocations and agendas to overthrow the government. And much of this was centered in other parts of the country, but it—we had a very significant case in Arkansas that tied into those national threats that our country faced. I'll never forget—it really started with a call that I received from

Jack Knox, an FBI agent who—we worked very closely together. And two US Marshals in North Dakota had been shot and killed by Gordon Kahl, a tax protestor, and they believed he had fled to Arkansas and was hiding in the state of Arkansas. And so ultimately, that led to a shootout over in Smithville, Arkansas, in which Gordon Kahl killed Sheriff Gene Matthews. And the—Gordon Kahl was killed at the same conflagration because the whole place went up into flames. And so Gordon Kahl lost his life. And we've—the district responsible for prosecuting and investigating that case was mine. And so the only ones to prosecute were those that harbored Gordon Kahl, the fugitive that came down to Arkansas after killing the US Marshals in North Dakota. [01:07:12] And so we had this prosecution in Harrison. And during the middle of that, that's whenever we had threats to the federal judge, Judge H. Franklin Waters, to Jack Knox, the FBI agent, and to myself. There were bomb threats to the trial. And I looked behind me during the course of that trial, and I saw these people in camouflage on the front row. And I asked Agent Knox, I said, "Who are these people?" And he said, "Well, that's the CSA. James Ellison and his group called the Covenant, the Sword and the Arm of the Lord, the CSA." That was my first indication that they were an issue in my district.

[01:07:59] We successfully prosecuted the Gordon Kahl case, and then we started getting more information about the CSA. And it was a compound in northern Arkansas in Marion County. We had information that they were engaging in murders and burning of churches and persecution of minority groups. And they were also training for the violent overthrow of the federal government. And they were combined with the Order out of Washington State, a very violent group. And we just had information on this, and we're tryin' to develop more facts. And ultimately we had enough information for a search warrant on the compound. And I had to approve the search warrant. And we also had a misdemeanor arrest warrant for James Ellison, the leader of the group. Our strategy was to go up there and to get him off of the compound so he could be arrested. And then we could go in and search the compound, but we wanted to get the head of the group out. [01:09:19] Well, as we were there with SWAT teams from four or five different states—we had the state police there. We had over 200 law enforcement officers su— ready to go in and search the compound. We were stationed up in an air—in a hangar in some rural part of northern Arkansas. And all of a sudden we had word that the—a member of the order headed toward the CSA compound was stopped at traffic

stop by a Missouri state trooper and opened fire and killed and murdered Trooper Linegar. Well, all of a sudden, the national media came in to focus on this, and James Ellison would not leave the compound. And we were forced with, well, do we retreat and just go back, or do we try to serve the arrest warrant and the search warrant even though he's in the compound. I make the decision that we need to go ahead with it. We send word in for James Ellison to surrender. He refuses to surrender. And it really turns into a hostage situation where you had hundreds of family members that are there that are innocent but they're there. And it's a combination of he refuses to come, we're surrounded with the SWAT teams and the law enforcement, and we have an armed standoff for three days. [01:10:57] During that time, the FBI—the hostage rescue team is there led by Danny Coulson. They asked me to come in. They flew me in a small plane there to the forward command post. They threw me a bulletproof vest and said, "You might need this." And I'm thinking, "This is not why I went to law school." And I actually put on the bulletproof vest. There's sort of an iconic picture of that. And we go out there and three days—we negotiate. We actually have a surrender document that's signed. And we find out during the three days that it's not just

James Ellison, but there're many other members of violent extremist groups that are there. And so it was very successful. I prosecuted personally about ten members of the CSA, including James Ellison, successfully. They were convicted by a jury and went to prison. And during the course of the search of the CSA compound, there was a security file that came out, became known, which showed that Richard Wayne Snell, who was ultimately convicted of murdering Trooper Lewis Bryant down in DeQueen and a Jewish pawn shop owner—who was perceived as Jewish—in Texarkana. Richard Wayne Snell was convicted of those two and ultimately executed. But Richard Wayne Snell was a member of the CSA and was sent by James Ellison to assassinate Judge Waters, myself, and Jack Knox. And we didn't even know about it until after the fact, but that all happened during the Gordon Kahl case.

[01:12:53] JD: I mean, I almost hesitate to ask, but what went through your head? I mean, at this point you've—you know, you're married, you have children—we'll talk about your children here in a little while, but how do you handle that? That—I know you'd had threats already, it sounds like, but this is—this seems much more material than those.

AH: Well, it was an actual attempt.

JD: Yeah.

AH: And the attempt was derailed. Richard Wayne Snell on—as he was heading to carry out the mission, he—it was an ice storm, and he slid off the road, and it derailed the mission. And so you know, my wife says what turned out—what looked like was gonna be the worst Christmas ever during that ice storm turned out to be the best Christmas ever [*laughs*] because that's what actually prevented the assassination attempt from being carried out. And obviously from my standpoint, there's risks that go with the job. There always has been. But you're concerned about the family. And you know, we relied upon the FBI, you know, protection for a period of time. But you know, nothing changed the fact that we were gonna pursue the case as needed.

[01:14:15] JD: How long did you serve in the capacity as US District Attorney?

AH: Close to four years. And that's whenever I resigned to run for the United States Senate. But it was three years and nine months, I believe it was. And I could've stayed in the US Attorney's job longer. Maybe I should have. But I saw the opportunity but also had the conviction that we need to—I need to get back to helping to build a competitive political environment in Arkansas and fight for the conservative cause

that I believed in. [01:14:57] The—you talked about some of the interesting things that I had while I was US Attorney. One of 'em was, of course, Barry Seal, the one that they've made movies about, flyin' cocaine or airplanes into Mena, Arkansas, and laundering money and his alleged relationship with the CIA. And of course, that created a lot of controversy after I left because, you know, I started the Grand Jury investigation for that case, but then I resigned to run for the US Senate before the investigation was completed, and so I left it to my successor, who ultimately decided not to pursue those charges, which has always been met with great controversy, as if there's somehow a huge conspiracy between Bill Clinton, Barry Seal, and myself. And it's just one of those bigger-than-life fabrications that never seems to go away, and it actually becomes humorous after time. But that was one of the last matters that I investigated.

[01:16:22] JD: We'll talk about the offices you seek from that point on in a moment, but I—you've talked about your, you know, conservative convictions, and I just wonder if this is a good time to talk about—and maybe it's evolved over time. I don't know, but I'm curious. What, you know, what is conservatism to you? I think right now—we're speaking in early 2025, and it seems that it sort of—it has some fluidity to it. But I wonder if in your,

you know, your view—you know, what is that? What is conservatism?

AH: Well, conservatism, to me, is principally believing in individual responsibility, creating opportunity for individuals, and to have a limited role of government. That's a basic conservative economic philosophy that was espoused by Ronald Reagan, Barry Goldwater, and that drew me into the Republican Party. And yeah, I mean, you also had social conservatism, and I—pro-life, and that drew me into the Republican Party, but there's also a strong national defense, believing that America should lead and that we had threats across the globe and that we should not abandon our leadership role. So those are the three principal tenets: Strong national defense, economic freedom and individual opportunity, and the limited role of government. And you know, the social conservative. But it was a unique time that you did not have—like Jeane Kirkpatrick. Jeane Kirkpatrick was a defense conservative. But she was not a social conservative. All were welcome into the party. You had Jack Kemp. He was an economic conservative. And he didn't have to cover every aspect of conservatism. All three aspects got along and said, "We need to fight this battle together," even though there was diversity of thought in the different areas. [01:18:44] Kay

Bailey Hutchison out of Texas—she was an economic conservative, defense conservative, but she wasn't a social conservative. She was welcomed into the party, and she was a leader. And so that's the conservatism that I identified with, even though I touched [*laughs*] all three aspects of conservatism. We had an appreciation for everyone else in the tent. And there was also an emphasis upon character. Ronald Reagan brought character to the office, and he brought respect for the office of president, but for our country, and he led in a way—with dignity and with character. And to me that's a big part of what drew me in to the Republican Party as well.

[01:19:38] JD: So what thought went into this campaign that pulled you from the US Attorney's Office? So this is the [19]86 Senate race. At what point are you thinking, "I'm gonna run, or at least I'm seriously considering runnin' for this position?" Was it [19]84, [19]85, something like that?

AH: No, it didn't really start until [19]85. I was—I had my plate full. I'd just finished the CSA prosecution in [19]85. I was—I had, actually, a couple of other white-collar criminal cases I was prosecuting. I needed to have a completion of that. And then if I was completed in some of those major investigations, then I felt the freedom to look at doing something different. And I was

looking at the race against Dale Bumpers, who was a sitting United States Senator. And you know, he had really showed his liberal leanings through different votes. And I saw him voting against Ronald Reagan's agenda. And so as a Reagan conservative, I have a United States Senator in Arkansas that I did not see representing the more conservative values of our state. Now of course, at that time, there was a big dichotomy between the endearment that Dale Bumpers had with the voters here and this populist flavor versus how he voted nationally. We distinguished the national Democrats from, you know, our good buddies and our local Democrats that represented us well. And so it was a different time. But here again, I believed that competition politics would provide the voters a chance, an option. And I wanted to be a voice for more support for Ronald Reagan, for a conservative ideology and representation in our United States Senate. So that's what motivated me into a very difficult and almost impossible race.

[01:21:54] JD: So did you feel—I'm tryin' to put you in that spot, 1986, running against a very entrenched, popular, incumbent Democrat in this Democratic state at the time. Were you able to garner—was there enough—did the Republican Party have an infrastructure in the state to support your candidacy, or did it

require some of the, perhaps, some of the relationships you had cultivated as a Reagan appointee to help you in this race?

AH: The Republican Party in 1986 was almost nonexistent. And you looked at our county sheriffs, you know, our—what, seventy-four out of seventy-five counties were dominated by Democratic leadership. You had only John Paul Hammerschmidt in Congress at that time. So five out of six of the federal delegation were Democrat. All of the state constitutional officers were Democrat. So at every level, the infrastructure was against you. And then the Republican Party did not have county committees, did not have effective organizations. They were tryin' to build them, but they were not successful yet. But the biggest difference is that you had no talent, very limited talent that could run a campaign, that could raise the money that you need, that could be your political consultant here in Arkansas and that understood Arkansas. And so we wound up having to use—utilize national talent to help run the campaign, which brought criticism. And yes, we were effective in raising money in a compet—to be competitive. Not as much money as Dale had, but we raised over a million dollars in a campaign in 1986. We engaged in a debate, a televised debate against Dale Bumpers, and so it was a—from all visual standpoints, we had a very competitive race,

even though we were still going uphill.

[01:24:10] JD: And this is an era of—you know, where retail politics is still the way things are done. So sure, you've got the ad wars, right, you've got the broadcast radio, but you also have the fairs, the festivals, the events, the parades. If you would, explain to me how you adjust to that. I mean, you've already had a public image as a US Attorney and some very prominent cases. But now you're running a US Senate—in a US Senate race in a state that expects you to shake every hand that you can find.

What's—how's that switch from, you know, legal administrator-prosecutor to candidate? How does that—how do you adjust?

AH: I—you know, it is an adjustment. There's—and I've had to make that adjustment through the course of my life. You know, whenever you were—I was in the administration of George W. Bush. That's one environment in Washington, DC. Coming back and engaging in retail politics is a different issue totally. And I am not an introvert, but I have introvert tendencies. And so, you know, it's easy for me to work alone, it's easy for me to go into a diner and have dinner and not bother anybody and leave. I have to make myself say, "I wanna shake hands with everybody in here." And so, you know, I had to make myself a retail politician. And I enjoyed it when I did it. I love people,

and I grew better at it and—but nobody matches a Dale Bumpers or a Bill Clinton in terms of retail politics. But we were out there. We were everywhere. And it was a challenge because you would go into some counties, and you were clearly not welcome. You would go to some political events, and you would be treated like, "Here's the—and here's the Republican." [01:26:24] A good example would be the Gillett Coon Supper. And you would go there. It would be all Democrat leadership, elected officials, everybody. And everybody is introduced, and then after the JPs are introduced, then, "Oh, and we have a candidate for the US Senate, Asa Hutchinson, here," and then quickly move on.

JD: They worked all the way down, and then they go back up just as sort of an, "Also—oh, by the way."

AH: Exactly.

JD: "This other guy's here."

AH: And of course, I'm there listening to my opponent speak. I don't get the opportunity to speak. And so, you know, you were fighting that infrastructure, which was a great disadvantage. And then of course, you wouldn't be invited to a lot of things, either. Sometimes—you know, like the, you know, the Farm Bureau, the local Cattleman's Association. You know, they would

call their sitting US Senator. And of course, they're not gonna call in the Republican opponent. And some of that's understandable. It's the advantage of incumbency. But much of it is just simply a part of a Democratic state that was not ready for any Republican.

[01:27:39] JD: So you lose the [19]86 race, but obviously you don't lose your motivation, your inspiration for pursuing public office and helping build the Republican Party that we see today. Did you learn something from the race that you took, maybe, to other contests or that you took to politics in general? Is something that you think that came out of that contest with that you were able to use again?

AH: Oh, absolutely. As I said, you know, I've lost my share of political races. Probably more than my share. But every time I ran and lost, and the US Senate is an example of it, that I advanced myself in terms of respect among the voters. They've got to know me. The leadership of the state feels more comfortable with me. And so, you know, there's a lot that you take with you if you handle it well. [01:28:41] And of course, Ed Bethune, who ran against David Pryor for the United States Senate, who was a sitting—who's a Republican Congressman—good retail politician. He helped me get prepared for the

Bumpers debate. But he also knew that I was going to likely lose that race. And he said, "You will define yourself by how you concede." And he knew that David Pryor in his history set the stage for future wins in his losses and how he handled with graciousness. And obviously we've lost that a lot today in American politics, but then it was important. And whenever you call up Senator Bumpers and congratulate him on the win, and you go out there and you publicly congratulate him and accept the loss, then people respect that. But just a moment—I wanna cover a little bit more on that race. One, Dale Bumpers was always a gentleman. And I remember the kindness he showed to my daughter Sarah at one of the events. And so he was always a joy to be around. But we had a debate, as I mentioned, and it's—I every once in a while, I go back and watch that debate. And Dale Bumpers—later on in his life, he conceded that I won the debate. And but if you listen to that debate, the issues that we talked about then were so foreign—is so foreign to what we have today. Talk about the B-1 bomber and the Cold War and the support for the defense missions that we have fighting the USSR, Soviet Union, and so it's—it was a debate in a different day and time. [01:30:41] But the contrast was clear. It was a liberal voting record versus a conservative

approach to things. But I learned a great deal. I also learned that—how consuming it is. I had four young children at the time. Susan was terrific, but whenever that race was over, there were—we knew we needed to settle down with the kids, give them more continuity. I thought about—well, I was in Fort Smith, and I'd lived there four years—the United States Attorney. And the kids were settled into school, and I thought, "Where should I go from here?" And Susan said, wisely, "Kids need stability. We need to stay here." So I continued to practice law there. And actually for the next ten years, I didn't run for office after that 1986 race.

JD: I think this might be a good time to mention . . .

AH: Actually, that's not true. [*Laughs*]

JD: [Nineteen] ninety?

AH: I ran in 1990 for Attorney General. How soon we forget.

[*Laughter*]

[01:31:49] JD: So you mentioned the children. So at this point you—all of your children are now at varying levels of age, but still quite young. If you would, what are their names?

AH: Oh, my oldest son is Asa. He's Asa the third. And then I have my daughter, Sarah, my only daughter. And then a second son, John Paul, and the last one is Seth. So three boys and a girl.

And I've got this picture that I have in most of my offices because it reminds me of the challenge of campaigning. And it's a picture of me over in eastern Arkansas in Forrest City at some event. And I'm shaking hands. And of course, we had to—we tried to include the family, the kids, in a lot of my campaigning. So I had son Asa and daughter Sarah with me in Forrest City campaigning. And it's a picture of me on my knee shaking hands with a constituent who like—who's lookin' at me like, "Yeah, I'm gonna be nice to you, but you don't have a chance of getting my vote." And my son is there with a ball glove looking like, "Daddy, can we go home?" And my daughter, Sarah, is leaning over my shoulder, drooped over it. And it's just a picture of what campaigning is like, retail campaigning, with a family and the challenges that you face.

[01:33:29] JD: Well, I think that's somethin' that we often overlook when we look at people who are seeking office. Many of these people are—you know, it's a team effort, right. There has to be buy-in from the family. We've talked a little bit about that with your wife, but how do you—I mean, maybe at some point it becomes almost sort of normal for children to be involved in or have a parent who's involved or parents who are both involved in politics. How does that happen? How did you and Susan go

about sort of broaching these topics in ways that sort of, you know, protect the kids but also give 'em as normal a childhood as possible? How does that work? How did y'all navigate that?

AH: Well, it's always a challenge. But first of all, every time I ran for office, you know, it was a matter of prayer and seeking God's will as to what I should do. And the thought process is that we're here on Earth for a limited amount of time. How do you make a difference? How do you impact society and our community? And so is this the right opportunity? Is this what I should do? And so that was an important part of it. And then we tried to include the family. And they saw the good parts and the bad parts of campaigning and—but my wife, later in life, asked the—my son, actually, "So, what did you think about your dad running and us being involved in campaigns and the Republican Party?" And the answer was, "I just thought it was normal. I thought every household was like this." And so you know, that was really encouraging to hear that. [01:35:18] And then my daughter, Sarah, she saw the commitment that I had for building the Republican Party and bein' a genuine conservative, bein' motivated for the right reasons. Well, she had a date, you know, when she was a young adult. And the gentleman that was pursuing my daughter offered that he was

interested in politics. And she asked him, "Well, what are you? Republican, Democrat?" And he said, "Oh, I'm not sure yet. I'm tryin' to—I'm still tryin' to figure out which is the best and easiest path for me." That was the last date they had. She liked to see conviction.

JD: That was the wrong answer. [*Laughter*] So we can talk briefly, if you want, about the [19]90 election. But in that era, you're back—you're practicing law as you've continued, you know, with—most of the time with your adult life. You're kind of getting off the campaign trail, but you're also taking an even greater leadership role in the party. So how did that come to happen?

[01:36:25] AH: So finished my race in [19]86. I had to make a living. I'd spent my retirement funds [*laughs*] to fi—help my living expenses while I campaigned for a year for the Senate. So when that was finished, I needed to practice law. I went and practiced law with Charles Karr, who invited me into his firm, who was a Democrat prosecutor, but a great—became a great friend. And we practiced law together, actually, for ten years there in Fort Smith in the First National Bank building. And because I was a United States Attorney and tried a lot of cases, I wound up getting a lot of interesting cases, white-collar criminal

defense cases, some major criminal cases that I def—was a defense attorney on, as well as plaintiff's lawyer. I did, you know, some civil rights litigation, you know, some personal injury. I mean, whatever walked in the door that could get me in the courtroom is the kind of case that I took. But I also didn't give up my fight for a two-party system in Arkansas. I'd been chairman of the Benton County Republican Party. After 1986 I became chairman of Sebastian County Republican Committee and was engaged at the state level as well. Led me to run for Attorney General in 1990, which I lost to, in a very close race, to Winston Bryant. And then after that I became co-chairman and then chairman of the state Republican Party for the next five years, fighting, building the two-party system in this state, trying to elect candidates. Recruited Mike Huckabee to run for lieutenant governor at one point during that time.

[01:38:21] JD: So you're leading the party at a pivotal time in its history. And especially looking back now, we can see the 1990s are a key moment where the state, the voting electorate in Arkansas that is more conservative than not, begins to, slowly at first and then more dramatically later, match and align itself with the Republican Party brand. And you're at the forefront of that. And so I wonder if there are some key moments or issues that

you recall that would help explain and illuminate sort of where we were then and how we got to where we are today.

AH: In the 1990s after my Attorney General's race—that's one contribution that I believe I made, which was to help brand the Republican Party. And it was branded around fighting the establishment, it was branded around honesty in the elections, it was branded around conservative principles, a limited role of government, and a common-sense approach with quality candidates. And for example, you had former sheriff of Faulk—of Conway County, Marlin Hawkins. He wrote the book *How I Stole Elections*. Well, as chairman of the party, I go—I drive down to Little Rock. I hold a news conference holding up his book, *How I Stole Elections*, and I said, "This is the reason that we need to have a competitive two-party system in Arkansas. Republicans will bring that." [01:40:13] But structurally, we were at such a disadvantage. And for example, all of the primaries, elections were paid for by party filing fees. Well, we didn't have any filing fees 'cause we had very few candidates running the Republican label. The Democrats had money all over the place because every candidate ran and paid a filing fee to them. The result was that if you go into Stuttgart, Arkansas County, there might be thirty polling places that the Democrats

can vote in in that one, rural Arkansas county. The Republicans had one because we had to pay for it, and that's all we could pay for. And that's mirrored county after county across Arkansas. And so we filed suit as a party challenging the primary election system as depriving Republican voters of equal access to the ballots. And we lost in district court, federal district court. The Eighth Circuit Court of Appeals ruled in our favor and struck down that system as unconstitutional. And that led to us having joint primaries paid for by the state. And that gave us a competitive, not an edge, but it made us competitive with the structure on the Democrat side. And that helped lay the foundation for later success. [01:41:49] The other challenge that we faced was that sometimes we had a hard time recruiting top quality candidates on the Republican side, and I had to take a stand against the kooks. And you know, it could be Dan Ivy that would run for Attorney General, who was considered a loose cannon and—or it could be David Duke that came in to a county committee, a KKKer, a white nationalist from Louisiana. A county committee would invite him in. I would have the state party committee pass a resolution opposing that and distancing ourself from it. It was all met with controversy, but it was setting the right brand for—you know, we're a party that

embraces minorities. We're a party that wants to represent everyone.

[01:42:43] JD: And this is a time where—you know, I think we can look back now and hear David Duke and think, "Who on Earth would've invited him to, you know, a major party's county event?" But he's running for governor in Louisiana at this time. He is a prominent political figure in other states. And so I'm sure you had some resistance when you were trying to sort of re-message. And I wonder too, is part of this just the struggle that a party has when it's the sort of the lesser of the two parties, where you're getting individuals who might not even be bought into the party platform or the issues or the ideology, but that—it's the only way that they perceive they can run or they can gain some traction or some clout, if you will.

AH: Sure, absolutely. And any minority party has that challenge. I mean, you look today, the Democratic Party in Arkansas is in a minority position, and if you're wantin' to run for statewide office and you want a chance to win, you're likely to file as a Republican. And so we were in that boat, but we were further disadvantaged because we did not have the infrastructure. We didn't have—the system was against us as well. There was not the fairness in the system. And we had to rebuild that first to

create a fair structure, and then that allowed us to gradually increase the quality of candidates that were running on our ticket.

[Recording stopped]

[01:44:16] JD: Governor, we took a break. We were talkin' about your leadership in the Republican Party of Arkansas and particularly through the early to mid-1990s. And we wanted to move forward in talking about your time as a US House Representative for the—really the one district that, since the 1960s up to this point had remained Republican. And so if you would, explain how that came to be, how you decided to run, and maybe a little bit about the campaign. And then, of course, we wanna hear about your time in that position.

AH: Well, I was chairman of the party. And Mike Huckabee, of course, was lieutenant governor at that time. And he had made the decision to run for the United States Senate. And he was running for the Senate. My brother Tim was running for reelection to Congress, and the best opportunity for me to serve, since I'd left the chairmanship, was to run for state representative in the Fort Smith area. So I actually was running for that position. And to everyone's surprise, Jim Guy Tucker, the sitting governor, was convicted by the jury in Little Rock,

and he had to leave office. And of course Mike Huckabee left the Senate race to become governor. My brother then runs for the United States Senate slot and that left the—a congressional seat open. I said, "I'm going to run for that." I obviously was known in the Western District, in the Third Congressional District.

[01:46:14] And the primary—it was too late to have a real primary, so they had a caucus of the Third District Republican Committee, which is about 150 Republicans, determine who the nominee was going to be. And if you think of difficult races, it's just as difficult to run before 150 people as it is 1.5 million people. So I'm campaigning among the 150. They know me. I win that race for the nomination, and that puts me in position to run in the general election. And Ann Henry that was supported by Bill Clinton was the Democratic nominee. I won that race and got elected to the United States Congress.

[01:47:11] JD: And so you get into DC. And so how—first of all, how does that work? How do you adjust? That's a job where, regularly, you'll hear people in Northwest Arkansas say they bumped into Senator Boozman or Representative Womack on the air—at the airport, right, doin' a one-way to DC back and forth. And course, you had—of course at this point, they're gettin' a little older, but you had children and Susan. So did y'all

go up to Washington full time? Was it—were you back and forth?

AH: My kids were older at that point, but we still had one that was in high school, junior high school. And so Susan stayed principally at home to make sure the children had an adult [*laughs*] parent that was present. And I went to Washington. But of course, I flew back and forth every weekend at home. And of course, you had, you know, your Congressional breaks that you were home. So it was really somewhat manageable but difficult on Susan and my youngest son, Seth, at the time. But my two oldest, Sarah and Asa both took advantage of the opportunity to come to Washington and have the experience there. And that's where my daughter, Sarah, met her husband, Dave. She was a paralegal. Proud graduate of then West-Ark Community College. And so she worked there. And son Asa was a lawyer, and he was actually hired by the independent counsel for one of their investigations up there and ultimately worked for patent and trademarks in their office. But it was nice to see after all the sacrifice this family had made to be able to have an experience in Washington as well.

[01:49:14] JD: If you would, explain the political climate at the time, what's going on in the second half of the 1990s in the

United States. We've had the tidal wave of Republican success after the [19]94 elections, but we've got, course, a Democratic president, so you get Newt Gingrich. There's some pretty strong personalities, some big issues being debated. So you know, going into that for the first time, what sort of things do you recall thinking or experiencing early on?

AH: Well, whenever you look at the late 1990s when—I got elected in [19]96, took office in [19]97—you had President Clinton in office, and you had Newt Gingrich as speaker. The first issue I had to face was the ethical charges on Newt Gingrich, which—it's interesting that I made the comment I hadn't decided yet how I'm gonna vote, and that's like stunning, shocking news that [*laughs*] a Republican is going to actually think through this issue. [*JD laughs*] And so that put me in the limelight somewhat while I was a freshman member. But it was a time that Newt Gingrich was elected Speaker. And he and Bill Clinton, the president, decided that, even though we've got a split government, let's see if we can get some things done. And that was a time that we moved toward a balanced budget. It's actually the last time our budget was balanced in our country was when I was in Congress with Bill Clinton as president and Newt Gingrich was Speaker of the House. So they accomplished

things. They'd rather get things done than rather just fight.

[01:51:01] Now there was a lot of, you know, back and forth. I mean, it's a political environment, but they still can look back and say that we really balanced the budget, we got our appropriation bills passed, and we got some good things done for the American people.

JD: We'll get to a—maybe a few other key issues from a historical standpoint, especially with Arkansans and the Clinton impeachment and your involvement. But there were other issues that you appear to have taken a keen interest on. Campaign finance. You continued your support for law enforcement, and particularly with drugs and other issues like that. Are there any key votes or legislative pieces that you recall that maybe you're the most—that you think most fondly of or that just stand out?

[01:51:56] AH: Well, first of all, you're right. I was on the Judiciary Committee. I spoke to Congressman Hammerschmidt, former Congressman Hammerschmidt at the time, and said, "What committees should I be on?" He said, "Well, you need to be on Transportation. It's very important to the Third District. You ought to be on Veterans. You got a lot of Veteran support. Now, Asa, they're gonna try to get you on the Judiciary

Committee. Don't you do it. You're a lawyer, but you don't need to be on Judiciary Committee." Sure enough, they got me on Judiciary Committee as well as the other two committees. And it allowed me to focus on law enforcement. I was on the crime subcommittee. First thing I did was called up the DEA and said, "I want a briefing." And they'd never had that in recent history, so I really showed my support for our law enforcement and very engaged on those issues. [01:52:49] Secondly, we did work together for campaign finance reform, trying to get a freshman initiative. They ultimately passed McCain-Feingold, which I didn't support. I supported our own version of campaign finance reform that I thought was more constitutional. I do think that that issue ought to be revisited even today. It's so many charades as to how the money flows, and the candidates are diminished in terms of the control of their own campaigns. But I worked on that issue. And then there were the issues that I thought were important and didn't get all the headlines. But I sponsored—the lead sponsor and got it passed—a death and custody bill that, for the first time, required state prisons and anyone that was in custody in an agency that was responsible for them—if they died in custody, they actually had to file a report saying why they died and to give account every year for

that. And it was, I think, looking back over the last twenty years, really was important to know that. And that's one of the small things that I worked on but ultimately still has impact today.

[01:54:13] JD: It's hard to imagine that before then there was no requirement to do this.

AH: That's exactly right. There was no requirement for states, counties, cities, anyone, to report why somebody died in their custody, and there was no federal database on that information, so no way to—for the Department of Justice to say, "Hey, this prison system is really abusing prisons or prisoners or they don't have the right training." So it was an informational—it was not a heavy-handed government approach, but it required at least a report if somebody died while in custody.

[01:54:52] JD: And your involvement in judiciary in particular puts you in a very prominent historical position in the—you know, really what was a over several years investigation into the—what became later the President Clinton impeachment and then the trial in the Senate. So I wonder, you know, what insights would you have? You played a very important role there, and I think it's noteworthy that you had an Arkansan House of Representative that was one of the leaders in the prosecution of

a sitting president who was also from Arkansas. And so there's—I think there's some significance there. So if you would, run us through that process.

AH: Well, it was a very difficult time for our country, even though today you look back and say we've had Donald Trump impeached and almost like impeachment becomes routine. But then, in 1997, 1998, we had not had an impeachment in over 100 years. And so it was an extraordinary time of history, of studying the Constitution, debating what was right and how to handle it. And I was on the Judiciary Committee that received the Starr Report, and it was difficult for me because I knew it was not good politics in Arkansas and—but I also believed in the rule of law, and I took the issues that were involved very seriously. And whenever the House did vote out the Articles of Impeachment and went over to the Senate, Henry Hyde asked me to be one of the prosecutors of the President if it—when it gets over to the Senate. I'll never forget, it was on a Sunday afternoon, Charles Canady, member of the Judiciary Committee from Florida, myself, were in there working on the drafting of the articles. And he said, "Boys, if this gets over to the Senate, I want you both to be managers." Which is the prosecutors. Man, I left there, and I looked at Charles Canady and say, "That's not

somehin' I wanna do. It's the president from the home state. People of Arkansas won't understand it, and I wanna stay away from it." [01:57:31] But as time went on, I thought more about it. I thought what was at stake and the Constitution. Thought why did I get elected and why I took my oath of office, and I thought that I had a responsibility to pursue it and also to speak for myself and what I believe was the right approach to this. And because I knew when it got to the Senate, you're gonna have the bomb throwers, and you're gonna have people that were plot—tryin' to play politics with it, and I did not wanna see that. And I didn't want them speaking for me. I'd rather speak for myself about this serious constitutional question. So I said, yes, I would do it. And I was right that there was a great controversy in Arkansas about that. There was one cartoon that had a picture of me stabbing the state of Arkansas in the back.

JD: Oh, wow.

AH: And but I think I made the right decision. As it went to the Senate, I was able to present the case, but everyone from the senators to the public could say, "Asa's presenting this as a professional, not as a politician. He's presenting it as a true lawyer concerned about the rule of law." And I think that spirit as to how I presented the case and represented Arkansas in that

very difficult time I think will stand well through the course of history. And I—just like any jury. When the jury came back with an acquittal, I came out and said, "I accept the jury of the verdict or the verdict of the jury." I've said that dozens of times as a United States Attorney, and I also said it as a Congressman that I accept the jury's verdict in this case.

[01:59:34] JD: So as you mentioned, we had gone over a century not having had one of these proceedings. We came close with Richard Nixon, but it was well over a century before we'd seen it since. So was there a certain level—I would imagine there was a certain level of just constitutional research? I mean, were there questions of how do we proceed, how do we do this? It seems now, as you pointed out, anyone who follows the news in the last few years has seen this a few—a couple of times, and so there's maybe a greater sense of at least basics of the process, but did y'all have a playbook, for lack of a better term?

AH: There was no playbook. And we were treading on territory that had not been passed through for over a hundred years, and so, yes, the research was very important, which intrigued me. And so, you know, I read books on the Johnson impeachment trial and how they represented it, but also how the Senate handled the impeachment trials of justices, of judges, and studied the

best I could as to what the Constitution required for high crimes and misdemeanors. And I also—I just believed in preparation and understanding and bein' in the forefront of that. And so when the Starr Report came in to the Congress, it was sent down to the Ford Building, which is a secure building. And you can't take copies of it out of there. You actually had to go there, sign your name in, and read the report and—with all of the supporting documentation. [02:01:29] And so whenever it first arrived, I stayed in Washington rather than coming home, stayed there reading the report, reading the information, makin' sure I knew more than anyone else did on these topics. And so that's the approach that I had. I think it served us well. I also, whenever I was on the Judiciary Committee in the House, I worked with Democrats—sort of the Breakfast Club, they called it, through the media standpoint, where we met and said, "Is there a way where we can resolve this crisis? Is there some compromise we can make? Is there something short of an impeachment?" And ultimately, I believed that the Constitution said you got one choice. You either have to vote for impeachment or let it go. And not some sanction. It was not authorized. So that was the conclusion but we—the point is that we tried and we communicated and saw—is there a way that we

can find some common ground. Ultimately there was not, but that put us in a better position because we had those conversations.

[02:02:37] JD: Just having made the attempt. So back home, how was—what were the reactions? I imagine you had sort of mixed from supporters and maybe those that—like the unfortunate political cartoon that you noted. Overall, what sort of feedback were you receiving at the time?

AH: Well, it was just like it is today in some ways. You had the hardcore Republican base calling for, you know, immediate impeachment and asking questions like, "Why are you deliberating? What is there to deliberate about? You know, why haven't you come out there like Bob Barr, Congressman Bob Barr from Georgia and others and already said they're going to vote to impeach?" And so they did not like a deliberative thought process through it. They wanted immediate action. They didn't think there was any room for debate. And then you had the defenders of Bill Clinton that wrote just the—as vigorous a letter on the other side and, obviously, makin' the case that this is about sex, it's about tryin' to protect a family, and it's not about the Constitution. And that's the case that Dale Bumpers as a defense attorney made in the Senate. And obviously that

was a good message to the jury. But whenever I look at perjury, when I look at false statements under oath as a lawyer, as somebody who's concerned about the justice system, for a president to do that and have that allegation raised the elevation of this to a matter of an impeachable offense. So I gotta tell you a story.

JD: Yeah, please.

[02:04:42] AH: Of course, whenever it goes to the Senate, I had to make out a witness list. And it was Senator John Kyl from Arizona who wanted to meet with the lead prosecutors on the case. And of course, the Senate did not want to hear from all the witnesses. You know, they were very nervous about this—you know, the witnesses that might be called. And they liked to have summaries of a case or—without actually live witnesses. And so Senator Kyl challenged me. He says, "Well, show me your witness list." And I said, "I'll show you a witness list." And so I prepared an order of proof just like I would in any other case. Well, the first witness that I had listed was Judge Susan Webber Wright. Now Susan Wright was the federal judge from Arkansas that presided over the deposition in which it's alleged Bill Clinton lied under oath. I thought that's a logical witness. So I thought I'd give Susan a call and let her know that she's on

the witness list for an impeachment trial in the United States Senate. And I went to law school with Susan Wright. And Susan was also a student of Bill Clinton. And so Arkansas comes all together in the middle of this trial. [02:06:09] And so I called Judge Wright, and I said, "I hate to tell you this, but you're gonna be a witness in the trial for the United States Senate." She says, "Well, I don't want to do that at all, but if I have to, I will." Well, five minutes later, I get a call from Judge Pasco Bowman of the Eighth Circuit Court of Appeals, and says, "Congressman, you're not gonna have any member of the judiciary in my court, in my circuit, testify in the Senate trial, and I'm just lettin' you know that." So here you have a little bit of a Constitutional debate because I am the legislative branch subpoenaing a witness from the judicial branch to testify against the chief executive in the executive branch. Three branches of government. Who decides that issue? And so that was an interesting Arkansas point during that trial. [02:07:04] And then of course you had the day that President Clinton decides to get a real defense lawyer to represent him and asks Dale Bumpers to represent him in the Senate trial. So I'm there on the Senate floor. You got Senator Bumpers there on the Senate floor. You've got Bruce Lindsey from Arkansas there on the

Senate floor all presenting different sides of the case of constitutional importance to our country.

[02:07:41] JD: That's something you've—we've—I neglected to bring up earlier. I just didn't think about the timeline. It had occurred to me previously, but your time in law school—did that overlap with Bill Clinton being here? And were you also here when Hilary Clinton was faculty at the law school?

AH: I was. So I got here about a year before they did. And they came in—I did not have them as pr—a law professor. But then Bill Clinton taught admiralty law. Might've taught some other courses. So we were there simultaneously in law school, which made it another irony for the trial, then considered the trial of the century. So and I made reference to that connection in my House presentations when it was being considered.

JD: Yeah. And twenty-some-odd years later, there you were again.

[02:08:48] Before we close this part, is there anything else from your House time that needs to be stated? Something that you learned or gleaned maybe that—I mean, 'cause it's a different outlook. You had at that—previous to that point, you had been, you know, hyper focused on Arkansas, Arkansas issues, and Arkansans in different capacities professionally. But in the House you sort of have multiple constituencies.

Absolutely your district, but you're also working in a caucus, and then you were also finding yourself in these high-profile cases of significant national importance. Any other takeaways from that time?

[02:09:29] AH: Well, serving in Congress was a high honor, representing the Third District of Arkansas. It was an honor to be there. My brother was in the United States Senate at the same time, and so there were some real special moments. And President Clinton—whenever you look at our relationship through the years, while I was United States Attorney, I had to coordinate with Governor Clinton about the CSA case. He was very supportive of that. He was very understanding about my responsibilities with his brother. While I was chairman of the party, he was governor and then running for president. And so we were always on different sides, but always a respectful consideration of each other. And even though we went through the most difficult time during the impeachment trial, I hope that he saw my heart during that time following the Constitution as I saw it. And then later, after I left Congress, Hillary's in the United States Senate. She votes for my confirmation at Homeland Security. And then whenever I run for governor, he supports my opponent. And I'm thinking, "Naturally he does."

He's the opposite political party. And that's the way life should be." But once that race was over, I became governor. Bill Clinton still has his Presidential Library in Little Rock. I called him up, and I say, "I hope there's some things that we can work on together." And he shared that same feeling, and there has been some projects. And so I hope that people can learn that in the political arena, sometimes our convictions bring us different directions, but that there ought to be some level of respect for the office and for the, as he used to say, the loyal opposition, and that once the elections are done, we've got to get things done. And I think that's what Bill Clinton and Newt Gingrich tried to do. And I think that's a good model that we're losing these days.

[02:11:56] JD: So you—in 2000, George W. Bush is elected president, takes office, of course, in 2001 after a rather unusual circumstances, but nevertheless takes the oath of office. And so during this period, presumably, you're being courted, talked to, for a position in the administration under DEA, is that correct?

AH: That's correct. But that conversation really didn't happen until after the *Bush v. Gore* decision of the Supreme Court and President Bush was inaugurated. I had been very supportive of Bush's campaign. I was a surrogate speaker for him across the

country. I was in Florida during the post-election controversies and litigation. And so I was close to the Bush campaign, and whenever he got elected, I made it known to the Bush team that I would be interested in an administration post. [02:13:11] And part of the reason is that I think my skill set is more directed at the executive branch than the legislative branch. And while I loved my time in Congress, I didn't wanna wait eighteen years to be a committee chairman and to have a stronger voice. And if I could serve the country in an executive position, that really appealed to me. And John Ashcroft was confirmed as Attorney General. And he's the one that works with the White House to pick the next DEA administrator. And my name was both supported by the Bush White House, but also by Attorney General Ashcroft. President Bush called me up in my office and asked me to take that position. And I said, "Well, if you're offerin' it, I'm takin' it." [*Laughs*] And so I was the only member of Congress that was asked to join the administration.

JD: So—'cause I'm thinkin' this may be illuminating for people looking at these sort of situations. Do you think they basically looked at your background, your resume, your strong law enforcement support legislatively but also as a prosecutor, and said, "He would be a strong fit for the Drug Enforcement

Administration?" Do you think that's how that more or less worked?

[02:14:39] AH: Absolutely. And you look at the history of the DEA.

It's generally somebody who has been full time in law enforcement. And so mine was a little bit of an unusual pick, but they needed that change, somebody who both had political skills, but also someone who understood the mission and federal law enforcement as a whole. So my background as a federal prosecutor, but then also on the Judiciary Committee overseein' the FBI, DEA from a legislative oversight standpoint, my interest in the interdiction efforts, my trips to Columbia supporting the administration's fight against drugs, all of that combined to make sense. And it was incredible time over there at the DEA. But those same credentials is what led to my appointment over at Homeland Security. And whenever—you know, Bush gets elected in January. In August I'm confirmed by the Senate in a vote of, I think, ninety-four to one to be head of the DEA. That was one month before the 9/11 attack. And of course, whenever the World Trade Center was attacked by the terrorists, 3,000 Americans killed, the whole world changes. And even in my mission of the DEA, you know, we, on one day, convert our informant information from drug transactions to what kind of

terrorist information do you have that could be a threat to the United States. And clearly whenever Homeland Security was set up, they looked at somebody who could manage border security, manage our law enforcement responsibilities, be an intermediary with our foreign countries that were allies of ours. You know, they said, "Your background fits perfect for that."

[02:16:54] JD: So as you just, you know, just mentioned, you were in the DEA role for a matter of weeks before 9/11. Do you remember that day? Where you were, what you were doing?

AH: That's a day no one can forget. So that day, I was in Albuquerque, New Mexico. I was debating Governor Gary Johnson at University of New Mexico on drug policy on the night before September 11. I wake up the next morning, and the planes go into the World Trade Center. All commercial aircraft stops, and obviously I'm checking with the Department of Justice Command Center in Washington. They say, "We need you back." They sent a military aircraft for me in Albuquerque. And it had to get approval all the way up the chain. I have the loneliest flight coming back from Albuquerque on a National Guard military aircraft when no other planes were flying. We land at the Little Rock Air Force Base for refueling. And I make a call to our Justice Department Command Center, and they

inform me that one of our Justice Department family members was on the plane that crashed into the Pentagon. That was Ted Olsons' wife, Barbara, who we were with, my wife and I were with, literally days before that. [02:18:25] And she perished in that plane that went into the Pentagon. I'm checkin' on my family. I've got—my daughter was on Capitol Hill that day. My son's in Washington. They walked to safety, but you worry about them. My wife's in Arkansas. So we're all checkin' on each other. I head back to Washington. And had you been in my office on the twelfth floor of the DEA headquarters in the Pentagon—I mean, excuse me, in Arlington, Virginia, you actually overlook the Pentagon. It's right across the Interstate. And if you'd been in my office that day, as some were, you would've seen the plane go into the Pentagon. So the emotional state was fragile, but also our building shook and the foundations were weakened. We had to relocate our command center out for various different reasons. Could've been a target. And as I said, we immediately set about working with the FBI trying to identify threats because at that moment we all believed this was not the end. We're gonna have more attacks tomorrow and the next day. And so extraordinary time of shifting in missions to a certain extent, utilizing the resource of the DEA to

support the administration effort.

[02:19:54] JD: And it also leads to a significant reorganization that leads to the Department of Homeland Security, and as you've alluded you play a key role in that. And it's very early days. So if you would, run us through that process. And then perhaps we'll talk about your role there as well.

AH: Well, of course, again, after the 9/11 attack, I have to express the pride I have in the DEA. We only had a few air marshals at that time before the 9/11 attack, and the president did not wanna put the planes back in the air until we had sufficient number of federal air marshals that could protect our flights, protect our passengers. I put out a call to the DEA for volunteers to do that mission. We had over 400 DEA agents ready to go to get our planes back in the air. So they were extraordinarily helpful. [02:20:59] I'll never forget a meeting in the Command Center of the Department of Justice on the Sunday after the attack. It was an emergency meeting. Ashcroft said, "I want all of the leadership here." Bob Mueller, head of the FBI, was there, myself, Larry Thompson, Deputy Attorney General—you had Ted Olson, the Solicitor General, who'd lost his wife, Barbara, all there in the Command Center. John Ashcroft, Attorney General of the United States, walks in,

very somber tone as only John Ashcroft can have [*laughs*], and he said, "Ladies and Gentlemen, the President of the United States met with me this afternoon, and he tapped me on the shoulder, and he said, 'John, do not let this happen to America again.'" And he says, "I need anyone who's not willing to work the extra hours to follow this mission—I need your resignation." Of course, we didn't. We stayed there. [02:21:58] And that was the day that the emphasis shifted from simply prosecution to preventive efforts. The FBI shifted, the Department of Justice had to shift. So it was an extraordinary moment in history that started on that particular Sunday after the attack. And so you fast forward to the debate about a new Department of Homeland Security to make sure this did not happen again, to better coordinate intelligence flow and the efforts of law enforcement. So Congress passed the Homeland Security Act that created the new department. And the president again called and said, "Would you be willing to come over and be undersecretary?" Now you got the secretary, you got a deputy secretary, but there's one undersecretary of Border and Transportation and Security that, under Congressional mandate, says you're responsible for protecting the transportation and borders of the United States from a terrorist attack. That was the job that they

asked me to take, 110,000 people reporting through customs, through ICE, to all the different departments that came in to be that protective element of Homeland Security.

[02:23:27] JD: So you—just there you're touching on the gravity of the role. What was—what's the learning curve? I mean, you had acquired some significant experience in sort of the periphery of this, and then these unforeseen, tragic circumstances eventually have put you into this position at a really heightened sense of fear, really, and insecurity or sense of insecurity in the nation. So how do you adjust to that?

AH: Well, it's a totally new role. I mean, first of all, with the Department of Homeland Security being created, it's the largest government reorganization since the Pentagon was created. There's twenty-two different agencies, four different departments of government merged into one new department with 180,000 people, and Congress tells you to do it without any additional money and—for the headquarters. And so I show up my first day there, and one, it's like walkin' into your—you know, a house you buy that's not ready to move in yet. [*Laughs*] I mean, everything is in disarray. It's like you look at somebody and say, "Did you bring the copy machine paper?" or—you know, you're sitting up a new department. It's hard. [02:24:58] But

also it seemed like every day was a test. My first day at the new department, my operations chief comes in to me and says, "Mr. Secretary, there has been a plane hijacked from Cuba. It's headed toward the airspace of the United States. What action do you want us to take?" And of course, I'm thinking, "What prepared me for this moment?" But of course, you know, you know and have confidence in the team. You ask the right question. You know what the protocols are. So it's about leadership. It's about understanding the mission and relying upon people that you trust. And we had that day in and day out, those kind of episodes that we had to face. And it was an extraordinary debate within the administration. You would have threats, and you would have part of the administration that would wanna raise the threat level and, really, to scare America to keep their attention. Not unjustifiably, but to bring America in on the fear and concern that we all had. There's another element of the administration that says, "Don't alarm America. Let's manage through this without creating fear and panic and things that they can't make a difference in anyway." And so that was a constant tension that we had. [02:26:29] There were some extraordinary moments. I remember whenever we had a specific intelligence in 2004 about the international flights comin'

to the United States of America. And we actually had very specific intelligence with specific flights. And we set up a protocol that they couldn't leave Charles DeGualle Airport in Paris or Heathrow in London without being fully vetted against the terrorist watch list and the passenger information. And the final call on each of those came up to my desk where I would have to approve it after all the vetting was done. So it was a very challenging time just for the workload, intensity, threat, and rewarding because, you know, if I'm with the DEA, I'm not with the President of the United States every day. I've got a separate mission there. But over at Homeland Security, I'm in with the President of the United States and their national security team on the biggest threats that we face. And sometimes Secretary Ridge was there. Sometimes he's gone, and he'd say, "Asa, I need you to cover this." So those were rewarding experiences, but really some tough experiences, too.

[02:27:59] JD: So an example you gave where you could have very strong suspicions of something, a threat, something that could potentially occur, down to a flight. And it was your decision and these protocols to basically say, "Okay, it can go—it can take off." That's heavy. That's a very heavy burden for—even with protocol, even with, you know, steps in place and people you

trust. That had to take a toll.

AH: It did. And my wife watched me—Susan. She cares about me, loves me. And after two years there, she saw some strain and really wanted to come back to Arkansas, and that's a discussion that we had. But it was two years that I think we've made a difference for the country, and during that time we had no terrorist attack on our soil. And so I think we did some real preventative work. And the history of it—people talk about ICE, Immigration and Custom Enforcement. Well, I named ICE. [Laughs] I actually had a different name for ICE, and it goes up to the White House, and they say, "No, the FBI objects to it. And so you gotta come up with a different name." And I said, "Well, if you don't like my name, you come up with a better name." I get a call from Andy Card, Chief of Staff to President Bush. He says, "Asa, that's not how it works. You come up with another name." So I came up with ICE. [JD laughs] And so you know, you still that history—see that history that still fits today. And see how I think it's been a success story. So that's been rewarding. [02:29:54] You asked about—you mention the intelligence. Sometimes the CIA would give us a report, and they would say, "We've got a very serious threat." Sometimes I would be a little skeptical. Or I wanna say, "Well, I know how

this impacts our agency and impacts America, so I wanna actually see it for myself." And they say, "Well, sure, we'll show you the president's daily briefing where we document this." And I said, "No, you don't understand. I wanna see the actual raw field notes where you're getting this." And they looked at me like, "I—we've never been asked this before." And it was a little bit of a test to make sure that I had access to it and I could evaluate it for myself. So the next day I go out to Langley to CIA headquarters, and they have a secure place right in the center of the building, and they put me in there with the actual raw field notes for the interviews with Mohammed Sheikh—KSM, one of the lead terrorists. [AH edit: Khalid Sheikh Mohammed] And so that was an extraordinary, extraordinary—and yes, I did see the intelligence verified that it could be relied upon.

[02:31:15] JD: And so then you have to prioritize the intelligence, I would imagine. I mean, not everything can be handled as—not everything can be the big thing. And so I'm assuming there were protocols in place. Is that how that was—were they already established, or did those have to be established sort of as this DHS is being developed, as your role is being developed?

AH: It was primarily new protocols. I mean, Customs knew how to do their border security, their inspections. The ICE knew how to

do the enforcement actions, but in terms of the big questions about terrorist threats and what actions to take, we had to set up new protocols. And you know, that was difficult. There was always a debate as to exactly—whether to raise the threat level. And that was the key change at that time. We, for the first time, imposed this—you know, it's a yellow threat level, orange, or red, and that gauged the security response of our agencies, but also even the private sector. And you know, they refined it over time. It got better, engaged the public probably less, but those were the protocols that were developed. And an example—we had—we raised the threat level, which means they increased the inspections of vehicles coming across the border in Detroit. And once we increase the inspections, then I make a call up there to my team, and I say, "Tell me what you're finding in your increased inspections." The second question I ask is, "How long is the wait line?" Because we had to balance the flow of commerce with the security requirements that we had.

[02:33:17] JD: So you serve in that role a little over two years . . .

AH: Yes.

JD: . . . is that correct?

AH: Yeah.

JD: And we're coming up on the 2006 elections. And at what point

do you decide to [*AH laughs*] run for governor of Arkansas?

AH: Well, first of all, I need to get out and make some money. I'm still in the boat that once I leave one job, I need another job. So when I notified the president that I was goin' to resign as Undersecretary at Homeland Security, I secured a position with the Venable law firm in Washington, DC, and immediately went there. I let them know that I still had political interests.

[*Laughs*] And I actually thought that—you know, this was in 2005—that I'd have a good year of solid work before I even had to worry about, you know, whether I should run for governor in 2006. And but we had, you know, that race escalate. Win Rockefeller jumped out there and announced early and was building support in the Republican primary. So you know, my supporters said, "You gotta get out there quickly." And so they had to move up that time frame, and while I continued to work for the Venable Law Firm throughout that time, I was getting back to Arkansas and campaigning and getting ready for a race in 2006.

JD: And I guess before we go there, it just—it occurs to me that at this point in your career, you had worked under, you know, two administrations, Reagan and Bush administrations. And I just wonder, do you have any stories or any recollections of either of

the two presidents? I know you probably didn't get to interact with President Reagan as much as perhaps President Bush, but somethin' that would give us insights into their personalities, their leadership styles, how they handled adversity.

[02:35:29] AH: Well, you're right. In the Reagan administration, I'm at this level, and there's a lot of distance between me and the President of the United States. But through time I actually had opportunity to interact with him. He spoke to US Attorneys, again, a group of ninety-three, and he inspires, he encourages, he leads. And so he took time to meet with us. And then whenever I was running for the United States Senate—it's actually a funny story. I called up Haley Barbour, who is a political director in the Reagan White House, and I said, "Haley, I need President Reagan to come down and campaign for me for the Senate race in Arkansas." He laughed, and he said, "Asa, you're not close enough in the polls for President Reagan to come in and campaign for you." But then he said, "I'll tell you what we'll do. You come up here to Washington, and we'll cut a commercial for you." And it was an extraordinary moment. You'd never get by with this these days. I mean, we actually did a commercial in the Oval Office where I would go in. I sit across from the desk, Resolute Desk, from President Reagan. We visit.

We go out in the Rose Garden, walk shoulder to shoulder down the Rose Garden. And they're filming us the whole time. He's acting. And of course, I'm talkin' to him like, you know, he is, in fact, a hero of mine. So it was really an extraordinary personal moment and a fun moment as well. [02:37:12] But the time that means a lot to me was in 1992 at the Houston Convention in Houston, Texas, George Herbert Walker Bush was bein' nominated, and President Reagan gave his last public speech. And if you look at his—people who write about him, his biographies and everything—they were worried as to whether he could go in there and pull it off in a public speech with early onset of dementia that people observed. I'm there with my sixteen-year-old son, Asa, who came as an intern at the convention. I'm watching Ronald Reagan inspire the next generation. And for Ronald Reagan, at his advanced age, after bein' president, to continue to be able to communicate to young people saying, "America is the right leader for our world. Conservative philosophy works," and put it in ways that people appreciate—anyway, it was just so inspiring. So those are my observations on Ronald Reagan. I'm a great admirer of his.

[02:38:39] George W. Bush I had a lot more interaction with in just about every way, and the human touch that he has, his

humility that he has. He had a little Texas spit to him as well, but he had humility. And you know, we—Susan and I were fortunate enough to dine with small group at—in the White House with—at the invitation of George W. Bush. And he just so casually stands up and says, "Let's pray," before the meal. You know, and generally, I mean, the president calls on someone or it's designated. He just did it himself like he was at home with friends. And you know, that human connection—you know, when you talk baseball with him, despite all the heavy issues that he had in life, those were my interactions with President Bush. He had a great sense of humor and held you accountable.

JD: So you're sort of—maybe it's rushed a little bit, your campaign in 2006 for governor. And that—you know, a lot happens, especially on the Republican side in that contest. So if you would run through the nomination process, and then we'll talk about the general election as well.

[02:40:12] AH: Well, in 2006, of course, Mike Beebe, the attorney general, is running for governor on the Democratic side. And he's locked up the nomination, and he's mobilized all of his party behind him. And of course, great name recognition as attorney general and a state senator for decades. On the Republican side, it was unclear as to exactly who was running. But I ran

because, you know, the young leadership of the party said, "We need you." And of course, Win Rockefeller then expressed an interest in it and was mounting a campaign, which really made it difficult. That's one of the first times that we'd really had a— that I had had the experience of a Republican primary. And it was very competitive. It was a typical primary, but then, of course, Win Rockefeller announced that he had this illness, that he was going to step aside. And of course, later that year he passed away. So those were shocking things, and they're hard to pull everybody together whenever you have, you know, an element very loyal and regardless of whether they supported me or not, they loved Win Rockefeller. And so that made a very interesting and difficult dynamic and a sad dynamic in that campaign. [02:41:52] But you mentioned earlier about what it takes to engage in retail politics and to shift gears. I had a hard time shifting gears. Now I didn't realize it, but you know, other people, eight years later, say, "You're a lot better candidate today than you were in 2006." And I . . .

JD: Pivoting from DHS, those sort of roles, to retail politics again.

AH: Yeah. I was shifting from a command role to having these responsibilities in the executive branch into a retail politics mode and coming back to Arkansas. And it just takes a while to get

the Washington off of you and to get back in that swing. And so I think I did make a better candidate eight years later when I ran versus in 2006.

[02:42:46] JD: So in the general election, and you've alluded to this, we've got—2006 was a rather hard year for Republicans nationally. Every year was a pretty hard year in Arkansas for Republicans still at this time. The Democrats I remember ran what was called a coordinated campaign. So they had sort of a process for—pretty much all the constitutional officers would almost campaign together. Were the Republicans able to do something like that to sort of garner that sort of support or manage in that such a way in a campaign in 2006?

AH: To a certain extent. I mean, we campaigned together, but not as effectively and without the resources. And as you said 2006 was not a great year for the Republican side. And even at that time, we were a Democratic state still. In 2006 you still had all the constitutional officers as Democrat. You had the majority of the federal delegation. And so you were swimmin' upstream. But you also just had an incredible candidate in Mike Beebe on the Democrat side who was strong and had the resources and the money. So it was an uphill battle. And we didn't run a perfect campaign. But you know, I think the greatest issue was

simply the strength of the Democratic Party at that time.

[02:44:27] JD: Did you think that it was a bit of a disadvantage?

Was it used as sort of a disadvantage on you with your experience in DC? So and you have an opponent in Beebe who's, as you said, attorney general in Arkansas, before that state legislator. And you had been—these other duties had taken you away from state politics for a time. Did that work against you in that contest?

AH: Oh, absolutely. I mean, I—course, I had not run statewide at that time in sixteen years. When I ran for—in 1990 for attorney general. So that's a long time span. You know, I'd been in Congress in the interim, but representing the Northwest part of the state. Arkansas's one of those states, those, with four members of Congress. Everybody knows each other even though they might not represent your district. So I had good name recognition. But it was still a big shift. And you were out of touch with some of the people that worked day to day, whether it's the Farm Bureau or the Cattleman's Association or the Poultry Federation. You know, those were all bridges that you had to build. So and you had to start from scratch in terms of your campaign resources, your organization. But that's what a statewide campaign's about.

[02:46:03] JD: So you're—in many ways you're campaigning to the general electorate, but you're also having to sort of sell yourself or reintroduce yourself to some of these more foundational groups that you have to typically rely upon if you're a viable candidate. And you were havin' to do all this at once, it sounds like, in a relatively short order.

AH: Yeah, that's right. And one—*[laughs]* it's nice to be able to win eight years later, and that's what I remember more. Two thousand six—you know, you sort of repress that a little bit. But first of all, whenever I was in the administration, I lived in Virginia, so I wanted to vote absentee in Arkansas. And I looked at the ballot, what you swear an oath to, and it didn't look like it fit. So I said, "I can't vote absentee whenever, you know, I'm living there in Virginia." And so I registered to vote in Virginia. And so of course, that becomes a little bit of an issue. And Mike Beebe handled it perfectly, said, "There's nobody's gonna question that he's an Arkansan." He handles it, but everybody else talks about it. And so you know, that sort of reminds people you've been in Washington. And of course, you're not as familiar with the state issues. I didn't serve in the state legislature, so the minutiae of the budget, you know, what you need to do with all of that, I had to create. I had to learn the

issues to a large extent. And so yeah, it was a challenge, but you know, campaigns for governor's more about your personality and who do you trust and who do you want for that moment versus all the specific policy initiatives.

[02:47:53] JD: So the race doesn't go the way you'd hoped in 2006. But what do—I mean, you—at this point, you had lost, as you said, you had lost your fair share, maybe more than your fair share of elections. But obviously, as we'll talk about later, by 2014 you're still willin' to be in the fight. And I wonder—so in that period of time, are you working in private practice again, are you doin' that sort of work? What's going on in that period of maybe a more private life, more private professional life?

AH: Well, let's put it in perspective. In 2006 after I lost that race for governor, that made three statewide races that I had lost. And you know politics, that—you know, that's a recipe for not ever havin' an opportunity again. And people say—you know, people actually asked me, "Well, are you forever foreclosing running again for office?" And I said, "I have no plans on it." But I never said absolutely, "No, I won't." I never erased it completely from my mind even though as a practical matter, you know, it looked like there would never be another opportunity for me to run for statewide office or to be able to win. And you

know, through my career I've—back and forth out of the private sector, so it really wasn't that big of a problem for me to adjust back to the private sector, to practicing law. I had a lot of opportunities. The Venable Law Firm wanted me to continue with them. And it's interesting that I said, "Well, I'll go back to Venable, but I don't wanna go to the government relations side," where my—probably my greatest value was. I said, "I want to go and work in white-collar criminal defense." [Laughs] So they put me in the white-collar section of the firm and—where I could actually have an opportunity to try cases again. [02:50:09] And so I did that, but then I also had opportunity in security work and private companies and bein' on the board of various companies in the security arena. So it was really a good time in life between 2006 and 2014. And I was with the Venable Law Firm for a couple years, but then my son, Asa, who was a lawyer, he was leaving the firm that he was in, and it was an opportunity for he and I to practice law together. And so in 2008 we formed our own law firm in Rogers, Arkansas. I left Venable and built an incredible firm that did international work, a lot of white-collar criminal cases and got me back in a court room and had a wonderful time bein' in the private sector and enjoyin' family and all the benefits of that.

[02:51:17] JD: Well, and I think you make a really good point that for so many public officials, when they leave public office, it's almost a natural inclination to—"Well, I'm—I can be really useful in governmental relations. I know that process. I know, you know, DC or whatever it is." And it can be, of course, very lucrative as well. And so I think it's interesting that you chose back. I wanna go back to, really the, day-to-day practice of law instead of, you know, really, what you could have done, which you could have capitalized on your network and your experience in governmental and political matters. But also I wonder if you'd wanna say something—I would imagine it would be very rewarding and fulfilling to practice with your son and to start a practice, as you said, in 2008. Just wanted—wonder if you wanna speak on that at all.

AH: Well, absolutely. It was a big deal for me to have that opportunity with my son. We'd sort of dreamed about it, talked about that potential at some point. And I actually got to introduce my son, Asa, to the United States Supreme Court and have him—a license—admitted to the bar of the US Supreme Court. So and I didn't even know it, but if you are a member of the US Supreme Court, which I was, you can actually go in and make an oral motion to admit someone else. And so I stood

before the full Supreme Court and made a motion to admit my son to the Court. And so those are special moments for a dad. But it also gave me just a chance to be back home with my growing number of grandchildren and be around family.

JD: That's wonderful.

[Recording stopped]

[02:53:12] JD: So we took a short break, and we're discussing the time period between the 2006 run for governor and the 2014 successful run for governor. We're talking about your law practice, practicing with your son, other things you're able to do as someone who's back in the private sector and is fully committed into that world for some time and back in Arkansas. But your practice presents a lot of opportunities as well to try some very interesting cases. And you had never shied away from those opportunities historically, but there's some that—of particular interest during this period. I wonder if there's a couple of those you'd like to share.

AH: Well, you're right. We set up a law firm and—called AH Law Group. And son, Asa, is—was great at transactional work, at business litigation, and but I brought a new international component to Northwest Arkansas. And because of my background in Homeland Security and Congress, I had a lot of

opportunity to engage in some very interesting cases. One of the first ones that came almost immediately after we set up the law firm was Blackwater. Now Blackwater was a defense contractor that was working in Iraq and Afghanistan for the Department of Defense with State Department licenses. And they were not payin' attention to their regulatory compliance issues, and they were in a lot of trouble with billions of dollars flowing through Blackwater. And so they saw that they were gonna be basically put out of business or lose their licenses for export technology, for training of our foreign nationals. And so their attorney came to me and said, "We want you to be on a compliance board for Blackwater," which means that we would have to approve all their licenses. We'd certify to the Department of State that we've reviewed it, they'd done all the things that were necessary, and basically get them in line with a governmental compliance standpoint. This was a very, very large fee. And so I was very tickled to get it, and it was very interesting work that I did. So right out of Rogers, Arkansas, I would be working on compliance issues in Iraq and Afghanistan.

[02:56:04] An illustration of the challenge that they faced: They would be in charge of training Afghan nationals on the battlefield. And they had a contract with the Department of

Defense to do this training. The Department of Defense would be pushing the local general, "Why aren't you getting the training started?" And his answer is, "Because they don't have the license yet from the Department of State." And so they're on the battlefield, they're on the front line operationally, and you got a conflict between two branches of our government where one is slow and the other was pushing you to go fast. And that's part of the reasons that they got in compliance problems, and we had to get 'em back. But those are amazing, interesting aspects to it. [02:56:57] And then, of course, I welcomed the opportunity to get in the courtroom. And we had a local case where I defended Judge Bisbee, a county judge that was tryin' to be—by the prosecutor tryin' to remove him from office. We went to a jury trial. We won that case. That was exciting as we set up the firm and get—increase our reputation. But I also represented a client out of Abu Dhabi over in the UAE. And it started when I was with Venable, and it carried on to when I was in the private practice. And that was a case where the gentleman was charged—his company was charged with violating the Libyan sanctions law, with transporting oil to a country that you were not supposed to. And that caused me to go to Abu Dhabi and to meet and learn about his world. I'll

never forget my grandson heard that I was—I had to explain to my grandson that I was going to Abu Dhabi. And he's five years old. He's tryin' to grasp this. And so he goes to his kindergarten class and tells his kindergarten class that Papaw's gonna have to spend the weekend in Hobby Lobby. [*Laughter*] So the—just one of those fun grandchild stories. [02:58:37] But whenever you—that case was out of New Orleans, actually, and so I was down in federal court in New Orleans. I got it successfully resolved with the US—the United States Federal Attorney. I represented a former Pentagon official in an espionage case. So I defended an espionage case in the eastern district of Virginia, where you actually had to have your classified clearances in order to see the evidence even as the defense attorney. And I defended that through a jury trial in Alexandria, Virginia. And then the last case was a case of defending Mohammad Abuawad in Dallas, Texas, in federal court on some very serious criminal charges. That was my last trial, and I got an acquittal on all counts. And I have that verdict framed in my office today.

[02:59:42] JD: And if you wouldn't mind, particularly that last case—why does it mean so much to you?

AH: Well, I'll tell the story—and this is public information, so, I mean, it's in the court records. But my client is from Jordan. His name

is Mohammed Abuawad. And he came to the United States of America. He became a US citizen. He served in our armed forces. And he was an engineer, and he went back and forth to Jordan. And he came here lastly with his mother-in-law and with his wife, and his mother-in-law brought a girl from Sri Lanka. Ultimately, she escaped, as she said, and the Department of Justice found out it—about it and believed that she was here under duress, that she was here as a illegal servant. And so they charged my client, among others, with document servitude, with a number of different criminal cases of lyin' under oath, and on and on down the list. And my client came to me, Mohammed did, and he said, "I didn't do this. I'm innocent of this." And I see that as a right to go to trial. I took a small fee. Not big enough fee. I'm livin' in Rogers, Arkansas. The case is in Dallas. And so I would go to court and—down in Dallas, and it was ultimately separate trial. [03:01:27] The prosecution offered my client a plea bargain where he could plead guilty and he'd have about eighteen months in prison. And my client said, "No. I'm not gonna take that because I'm innocent." And then the prosecutor, United States Attorney's Office and the Department of Justice in Washington, took it back to the Grand Jury, did a superseding indictment, which means

they charged him again with additional charges, which was possessing a firearm in furtherance of a conspiracy to commit a felony. And that meant there was a mandatory minimum of at least five years in prison. So they raised the risk. And notwithstanding that, he goes to trial. [03:02:10] So we go in federal court on the day of trial, and the judge, Godbey, tries to determine that the jury is gonna be fair minded. And so he—during *voir dire*, he asks them questions and says, "Ladies and gentlemen of the jury, these defendants here are from the Middle East. Does that cause you any problem in being fair as you hear this case?" And all of a sudden, you could see their body language, you could see them almost spitting out the words. It's 9/11. They're responsible for it. My client turns to me, and he said, "They hate me. I'm a—my name is Mohammed. I'm a Muslim. I'm never gonna get a fair trial." I tried to assure him that we got a good defense. Let's present our case. Eight days of trial, nine hours of jury deliberation, and acquittal on all counts. And you had—after the trial, Mohammed and I went over to the hotel, we sat down, and we toasted the justice system in America. [03:03:20] And the moral of the story is and why it means a lot to me that—clearly the jury was prejudiced. But in this instance and in many instances, the

jury's prejudice is overcome by America's sense of fairness. I wish you could say that all the way through history, and you can't. But that sense of fairness should never be underestimated with an American jury. And so it means a lot to me that that gentleman who served in America's military, that believed enough in America that he actually flew back to vote in the election at his own expense to make sure he exercised his right as an American at a huge cost and risk, was found not guilty. So it means a lot to me about our criminal justice system. That's why I love being a lawyer and support the rule of law. And that was an illustration of it.

[End of interview 03:04:16]