

# ***Lands Director Roscoe Bell States His Side of Richard Mueller Case***

STATE OF ALASKA  
Dept. of Natural Resources  
Division of Lands  
344 6th Avenue  
Anchorage 99501  
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Mr. Howard Rock, Editor  
Tundra Times  
Box 1287  
Fairbanks, Alaska 99701  
Dear Howard:

Inasmuch as the decision of the Personnel Board in the Mueller case dealt only with Mr. Mueller's legal rights, the Division was denied an opportunity to make any statement to clarify issues in this case. I am sure that you are anxious to present in the Tundra Times all important aspects of this controversial issue.

I well understand your concern and thoroughly agree with your expressed view that the State government should avoid taking action which would deprive native people of their rights. We also believe that Alaskan citizens are entitled to know that their administrative officials not only act in accordance with law but also equitably and in the interests of all of the citizenry of the State.

The Personnel Board did not consider it necessary to hear Mr. Mueller's case since they determined it legal and appropriate that the Division terminate the services of any employee whose service was unsatisfactory to his superiors. The Board's action, of course, denied the Division the opportunity to present the reasons for Mr. Mueller's dismissal which, in our judgment, were good and sufficient.

We have refused to make a public statement in regard to the reasons for Mr. Mueller's termination simply because we do not want to jeopardize his opportunities for future employment. Suffice it to say that Mr. Mueller's absence without authority from his assigned duties was the breaking point in a series of events stemming from a deep-seated disagreement with established Division Policy and programs in the land disposal field.

I refer specifically to his strong belief that the Wilderness Estate

concept was unsound. After a series of penetrating discussions on the subject, he requested that he be relieved of all responsibility for this type of land disposal throughout the state. Mr. Keenan, Division Land Officer, acquiesced in this request since Mr. Mueller was a probational employee. His duties in relation to this activity were reassigned elsewhere.

Thus, it was basic policy disagreement that led to Mr. Mueller's dismissal.

Mr. Mueller is linked with "discovery of an error" in the actions of the federal government in the handling of a claim to George Lake area lands which had been selected by the State. Unfortunately, no one, including Mr. Mueller, had raised any questions about the Indian title to this land during the period when the selection was made and was publicized by several weeks of legal publication. An additional five weeks' protest period was allowed. The legal advertisement in Fairbanks' papers and notice in the Alaska Land Lines invited assertion of undiscovered claims. It was only after the Bureau of Land Management had approved the selection, working title had passed to the State, we had expended funds for survey and were preparing land for sale that the so-called "discovery" was brought to our attention. We have suspended any action on land disposal in the area in order to give any unknown individuals an added opportunity to assert rights.

You may be sure that we took this action because we, in the Division of Lands, have a very deep desire to resolve in an equitable manner any claims of natives or others to the land whether or not the claims have been properly recorded in the past. Our procedures have been designed to protect these rights and interests to the land on the part of the natives. An item which appeared in the June 1964 Land Lines, page 7, illustrates this interest of the Division: "A general grant application for 22,680 acres at Northway was filed, then with-

(Continued on Page 6)