

Donald Mitchell oral histories, Archives and Special Collections, Consortium Library, University of Alaska Anchorage. Ken Jensen interview, 1990 January 30. Transcript completed by Louisa Dennis. <https://archives.consortiumlibrary.org/collections/specialcollections/hmc-1099/>

MR. JENSEN: And I got a -- I did a pretty comprehensive job. And I thought a lot of ironies, for example, was McKinley (indiscernible) Tyonek was there --

MR. MITCHELL: Right.

MR. JENSEN: -- same day he signed the Eklutna reserve, the backroom chambers agreement that Stan McCutcheon put together, the three-way agreement that suddenly sprayed- -- sprinkled Tyonek with holy water, didn't cut any ice with a stroke of a subsequent secretary's path. Eklutna is dissolved, and I studied the -- met the capital reserve and concluded, which, I mean, anybody with a passing understanding recognized to be the only reservation -- statutory reservation. And, you know, our interest was focused very heavily in a number of areas. Not only the Native land claims, but see, we were -- we were dealing then with the executive order that created the National Wildlife Reserve.

MR. MITCHELL: You mean, up in the arctic range?

MR. JENSEN: Yeah. And I concluded with my usual brilliance that Seaton, I think, was secretary then, had no authority to appropriate the -- the -- appropriated public lands with an executive order.

MR. MITCHELL: Well, actually, I don't mean to --

MR. JENSEN: Yeah.

MR. MITCHELL: -- this obviously has nothing to do with --

MR. JENSEN: Yeah.

MR. MITCHELL: -- with this land claims thing, but while we're on this, I have always been perplexed over the years looking at -- I mean -- I wasn't around in those days, obviously, that -- that Seaton did that. I mean, he was obviously a lame duck republican and -- and on the one hand he did that, however, after the whole thing had failed in Congress. And what I was curious about -- what my question is, is that, you know, statehood comes along, then there's legislation introduced to create the arctic range. That legislation in the House -- I mean -- Ralph Rivers was on the Merchant Marine Committee.

MR. JENSEN: Goes nowhere.

MR. MITCHELL: It goes -- well, no. It went right through the House.

MR. JENSEN: Oh, oh, oh, oh God, yes.

MR. MITCHELL: It went, whoosh, right up on the consent calendar as if there's --

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MR. JENSEN: Yeah.

MR. MITCHELL: -- no problem here.

MR. JENSEN: That's -- that's -- that's true. Ralph hid. Ernest Gruening and Bartlett were so furious with Rivers. And what Rivers wanted to do was make it the senator's problem.

MR. MITCHELL: Well, he did. I mean, what I couldn't understand was suddenly it becomes -- it goes from being on the consent calendar of being really noncontroversial legislation on the House --

MR. JENSEN: Uh-huh.

MR. MITCHELL: -- and then it gets over to the Senate, and I've read -- I'm probably one of the few people who've been involved in the (indiscernible) debate --

MR. JENSEN: Yeah.

MR. MITCHELL: -- who's actually read the entire hearing record of the Senate in this case. And it was quite obvious that Bartlett was doing --

MR. JENSEN: I wrote most of Bartlett's stuff.

MR. MITCHELL: Really? Every last thing he could do to stop it, and then, you know, he eventually does that, obviously. And then all of a sudden the eleventh hour is a lame duck, Stevens comes along -- with Stevens sitting around being a solicitor.

MR. JENSEN: As a solicitor. That was --

MR. MITCHELL: I mean, does it? Now what -- what was the politics for that?

MR. JENSEN: Well, I, you know, I never did figure out what it was about the Eisenhower administration and the Nebraska crowd, as we used to call them, the Nebraska mafia in the Interior department, that gave them such a dedication. I mean, they certainly had no track record as conservationists. There isn't such a thing as that, but they were absolutely militant about it. Stevens -- you know -- Stevens has finessed that. I mean, if anybody were to suggest that he was part of such an operation as that, you know, there'd be Alaska political hearsay.

MR. MITCHELL: Right.

MR. JENSEN: But he was very much present. He had been made solicitor as a going-away present. Everybody were -- everybody was jumping ship. Eisenhower was on his way out. His precinct predecessor is George Abbott.

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MR. MITCHELL: Yeah, I think he went up to be under secretary when Elmer Bennet was.

MR. JENSEN: Right.

MR. MITCHELL: Again, as a going away present.

MR. JENSEN: Right. They gave Ted a prestigious title because he wanted to go back and jump into the fray. We had a lot of fun with Ted in those days because he'd been legislative counsel to Seaton, and there were a bunch of holdovers who were on the schedule C in the BLM. A guy named Harold Hochmuth was one of them and a couple of others. They were forever preparing solicitor's opinions that would be published with Stevens' signature. One I'll never forget was the case of Billy Ray Duncan, who was denied the second entry on a homestead because he elected - - he lost his first boat from (indiscernible), because it was a lousy fishing season in Southeastern Alaska. And over Ted Stevens' signature, this lengthy opinion characterizes commercial fishermen as nothing more than riverboat gaffers, who -- who made their bed. It's a no good excuse. The reason I remember that is, I called Stevens, and I read excerpts up to him, you know, and my wife had worked for Stevens briefly when he was a U.S. attorney in Fairbanks. So, you know, we were on a first name basis. And, well, I told Ted we didn't have faxes or anything, and I told Ted (indiscernible) I read some really great excerpts. Ted starts screaming in my ear, "They're fucking me; they're fucking me." And he slams the phone down, and that's -- that's a fun thing to read. And it's a published solicitor's opinion because, about a week later, a revised solicitor's opinion comes, giving old Billy Roy Duncan his homestead. And when you wonder about how he was able to -- to create such a -- a large document with such a scholarly dissertation on the importance of the fisheries to the -- the United States and the world -- if you look at the Department of Agricultural -- Agriculture yearbook for two years earlier -- from two years earlier, he just bodily lifted para -- or chapters out of it and incorporated it into his decision. But those were -- those were kind of heavy days for the transfer of power occurring. But yeah, you're right. I remember Ted -- or, I mean, remember Ralph hid out, and it really hit the fan on the Senate side when he punted and nobody -- nobody with any common sense at all would explain anything that Ralph did. I -- I suspect he just didn't want to get in trouble. He didn't want to inherit that problem. By that time, he was under pretty heavy attack, and he didn't want to offend anybody. So -- well, but what I was getting at is the concerns that we had relative to -- to the -- the Native rights, were kind of a mixed bag with a lot of other concerns: The length and time that the selection process was going to take, where the body was going to come from, how you could ever satisfy the survey problems, which -- which indeed became, you know, kind of the tail wagging dog, you know, out of state selections. I think the philosophy that pervaded, at least it was my philosophy, and I think I reflected, to some degree, the -- the -- the general attitudes that in the -- the pond I was swimming in, was -- was kind of an attitude that -- after all, you know, we took great comfort in (indiscernible). Oh, treaty obsession extinguished so, you know, that gives us the opportunity to become a great white father. And -- and be terribly benevolent, not recognizing aboriginal rights as being constitutionally protected sort of thing. That something -- but, you know, by the grace of the -- the all mighty (indiscernible), you know, (indiscernible). And -- and I think that that was in part a -- a belief. And -- and I think -- I think a legitimate belief, one that I -- I have a hard time shedding. And that is that, you know, we were

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kind of thinking -- you've got a cultural collision, and we never dreamed how -- how severe a cultural collision before the -- the Slope.

MR. MITCHELL: Right.

MR. JENSEN: Nobody dreamed that. But you have a cultural collision -- I think, you know, people's goodwill felt that when that occurred, there was going to be a period of time during which the less strong economically, the less able to compete, were going to get pretty well chewed up. And the idea was to have them chewed up for as short a period of time as possible, to get them integrated into the mainstream. We didn't think a hell of a lot about cultural heritage. We didn't think a hell of a lot about the -- the sorts of things that now we're more sensitive to, like -- like, maybe the reason we're creating a lot of alcoholics and suicides is -- is -- is the loss of roots, the loss of a -- a sense of belonging, of continuity, of -- of -- of custom. We didn't think about that a hell of a lot. We kind of felt like it was an inevitable product of -- of the Western force being imposed and superimposed on the Native culture. And the idea of the whole thing is to -- just to accelerate their -- accelerate their conversion into the, quote, "mainstream" end quote, so there will be fewer generations of them and the alcoholic wars on the streets and committing suicide.

MR. MITCHELL: All right. Now --

MR. JENSEN: Well, that was kind of the feeling.

MR. MITCHELL: Right. Was that -- was that generally Bartlett's view? Did you ever talk at great length with him about --

MR. JENSEN: Bartlett was a very pragmatic person. He -- he -- he didn't intellectualize a hell of a lot. He had -- he had what -- I guess what we -- what we always used to say, good instincts. I mean, that was the -- the most -- the most obvious thing about the guy's personality, was a kind, caring guy with good instincts, but insofar as -- as developing any kind of a, you know, long-range sociological program -- and that wasn't really much of his thing. I -- I -- I don't think Bob ever -- anymore than any of the rest of us -- really perceived the suddenness. The explosive invasion of the North Country. I mean, none of us really -- it was just beyond our comprehension that that's -- that's the kind of thing that was likely to happen. I think we all thought that it had to do, really, with more government jobs. With, I mean, you know, we knew about CAT-4 (phonetic) and it was always kind of a gleam in everybody's eye sort of thing. In CAT-4 for instance -- probably the one thing I'm prouder of than anything else of being back there was I wrote the PET-4 (phonetic) bill that got gas into those houses.

MR. MITCHELL: Oh, into Barrow. Right. Right.

MR. JENSEN: You know, the Eisenhower administration fought us tooth and tongue on that. They just don't have a sense of ownership like other people do. "The titles are screwed up. You'd have to run the gas lines crooked because the houses are scattered all over. They're all going to blow themselves up because they're not sophisticated enough to have gas heat. The Navy doesn't

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have enough gas. We're going to have to save that gas for strategic defense purposes." I mean, it was a real fight. That was the kind of thing, pragmatically, that Bartlett would get behind, just to the point where -- where, you know, he'd -- he'd do whatever was necessary.

MR. MITCHELL: Right. Same thing with this housing issue.

MR. JENSEN: Well, yeah. And I'll tell you what he did on the Barrow gas bill. The 1964 -- no. It couldn't -- nineteen -- what -- what year am I talking about here? It was 1960, Civil Rights amendments, which were being piloted by Kennedy -- is a -- is a big -- it was a -- it was -- it was a major -- a major policy legislation -- was on the floor of the Senate. And the Barrow gas bill was stuck in Richard Russel's Armed Services Committee. Bartlett came off the floor and the office was in just a -- a state of disrepair and decline. I mean, Joe Josephson was there then. I -- Mary Nordial (phonetic), I think, was there. Might have been -- I think Mary was there. And Bartlett had voted the wrong way on a rather significant amendment. And I've always been mouthy and -- and untoward, and I almost embarrassed -- and I walked into his office, and we -- it wasn't just a barge-in deal. We, you know, there was a senatorial luster there that was respected. And of course Mary Lee was the keeper of the gate. And God forbid when she'd ever cross Mary Lee. And I went in and talked to the boss, and I asked him, I says, "Why in the hell would you do that?" I was just appalled. And Russel had taken him aside, and he said, "How are you going to vote on the amendment today?" And he said, "I looked at him, and I said, 'Well, I'm sorry, Senator. I don't think I'm going to be in your corner.'" And Russel said, you know, he says, "Bob, it's a terrible pity about those people up in Point Barrow. If I could get the distraction of all these damn fool civil rights amendments off my mind, I'd be able to concentrate on reporting some legislation out that I know is very important to a lot of people." And Bartlett told him that he was going to stick to his guns. And Russel told him, he says, "I'll remember." And when he got to the vote, Bartlett just knee jerked on to Russel's side and we got that bill reported out in a week. I mean, you know -- and Bartlett told me something then that I'll never in my life forget, and of course -- I -- I -- I am the last person to look to for objectivity about that because he was like a father. He says, "You got to make compromises." He says, "But," he says, "as long as you never forgive yourself and you never imagine you did the right thing you know you're doing your job." And, you know, he was so right, you know. It was incredible. But we were thinking about all those broad land issues, and what I -- what I concluded when I dealt -- I had done all that research about the Eklutna and the Tyonek and Metlakatla and the various things that had happened, and we all thought reservations were -- were the worst thing that ever could happen in Alaska. And I think, frankly, I -- I convinced them right then. The -- the notion I had was that we had so damn much land that we were weren't going to be able to get surveyed. Because even -- even at the get-go we were afraid of that. That was one of our biggest fears. My feeling was that -- that if we took the bull by the horns and adopted a -- a grant program from the State lands, that would be quite consistent with the notion that the rights were extinguished on a Federal, but it would recognize the internal governmental imperatives that we had in order to -- to -- to have a manageable population to govern in -- in the State of Alaska. And the idea was that a -- a relatively narrow circle -- and I -- I don't know what acreage is or what diameters would be virtual ownership in the -- in the Western capitalist sense using the town sight trustee-type deal that we've -- we've done on public lands in the past. A broader circle yet that had to do with the subsurface -- subsurface rights; I never even gave thought to -- to -- subsurface answer. Never

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gave thought to surface rights in terms of agricultural, anything like that, you know. And then a broader circle, spirit influence that had to do with the -- with strictly subsurface. I wasn't sophisticated to realize that, if you did something like that, we were going to leave people with barren -- with empty pockets, and you were going to enrich other people. I never -- I never got that deeply into it. You know, you -- as the -- the act, when it talks about, you know, sharing and the bounty and that sort of thing. But the idea was -- and it was -- it was altruistic in a sense, but it also was a little bit Machiavelli, because I was -- was convinced, as was the deligation, that the New Yorkers were going to get us, you know. We were all afraid of the New Yorkers. We were afraid of the Indian counsel with our areas --

MR. MITCHELL: Association American.

MR. JENSEN: Yeah, yeah. Because they were -- they were -- really thought (indiscernible) hell of a lot. And their militants frightened us probably no less than the militants of -- of any minority race frightened the people in power. When I -- I never really thought about it like that before, but I think that probably was an element of it.

MR. MITCHELL: Right. Well, I was look -- I was thinking about that as I was reviewing this stuff this morning. And the first real mark that the Association put up here was when they sponsored the Barrow conference in December of '61. And your proposal sort of pops out in the spring of '62, so --

MR. JENSEN: Yeah, it's been -- there was a -- a -- it was no question about it being a catalyst. We were very, very nervous and jerky by about that and --

MR. MITCHELL: Well, what did Bartlett think of the Association? Did he view it as helpful or troublemakers, or --

MR. JENSEN: Outsiders. Outsiders. Bob hated Easterners. And yeah, they were liked, the Easterners. I mean it was -- the guy who was born and bred to hate Easterners, just the way I was. I, you know, I don't have any problem with that, you know. It's a joke, but there's a seed there, you know, and -- and you never really get over it. And he felt that you're basically talking about a bunch of do-gooders who were going to get up there and spend a hell of a lot of money to cause a lot of trouble to preclude our ability to solve our own problems. He was highly receptive to the idea of -- of this state initiative. He liked the idea of a state initiative, and it would appeal to him because it's kind of consistent with his ethnocentricity that -- that governed a hell of a lot of what he -- what he thought and did. And as to -- as to the outsiders, they just -- they just build trouble. That's all there was to it.

MR. MITCHELL: Now -- now, did -- in terms of, sort of, the birth of -- of your proposal, was that as the result of the initial mandate from Bartlett? I mean, was there ever a staff meeting in which he encouraged all of you folks to think about these things? Or did you just, sort of, off on your own, know that this was an issue and sort of put your thinking cap on on your own and then brought it to him? Or how did all that work?

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MR. JENSEN: Well, I was his lab guy. And I -- I probably came to Washington as the most under-qualified and ill-prepared person that you could imagine.

MR. MITCHELL: Well, actually, maybe I should back you up about that. What -- maybe a little biographical stuff for the --

MR. JENSEN: Oh?

MR. MITCHELL: -- how did -- like -- how did you -- where are you from, and how did you get involved with Bartlett, and when did you go back there and all that kind of stuff?

MR. JENSEN: Well, what happened is, I was at the University of Alaska in Fairbanks, and I graduated in 1957. I had a disagreement with the ROTC, which resulted -- basically, I -- I worked for Jessen's Weekly. And they wanted me to do a lot of things, like, go to girls in the afternoon, which interfered with work, and by that time I was married and we had a kid on the way. And I didn't have much truck with them. I was only in there because they gave you \$65 a month which was a lot of money. So -- when I -- depending on who's story -- when I separated from the ROTC event there, I was going to end up a credit or two short. And the department head was a guy named Don Mulberg (phonetic), who was a -- really a good guy. He had some other problems and kind of got run off later, but -- but he told me that he could get me a special toppings deal for a paper to pick up my two credits that would put me over the top and I'd -- I'd be okay. And what the assignment was, was to do this dissertation on the Tennessee plan.

MR. MITCHELL: Okay.

MR. JENSEN: And of course I had been at the university doing the constitutional convention; I knew all about what the Tennessee plan was, and I was -- I was pretty political back in those days. And so I said, "Okay. That sounds good." And I did a lot of research. And researching in 1956 from Fairbanks, Alaska, was kind of a challenge. And I -- what I did was wrote to the archivists in each of the states and then sent a shadow delegation. And what I found out was really kind of amazing, you know. I knew it was a paper requested by Bob Bartlett. And also, I would mention that Bob, in those days, drank a bit. And he had given a speech, and he and I and three or four other students ended up all night in south Fairbanks getting boiled. So I knew who Bob Bartlett was. It wasn't anything personal, but -- so I get the paper, and I found, to my great surprise, that the Tennessee plan was a virtual fraud. But, my God, I -- I don't remember the details. It's been too long ago. But at least the -- the delegates from one state ended up getting indicted for misappropriation of funds, and it was all really done with mirrors. And there was no such thing, really, as getting admission by sending a shadow delegation in Congress and this sort of thing. So I did that paper and Mulberg sent it on to Bartlett, and I think I got an acknowledgement or something like that and went on to other things. Well, I had always perceived, because I was very, very naive politically, that Bartlett would immediately bury that and just really be pissed off that anybody should talk about this noble effort to become a state as being a fraud and a sham. Had I been sophisticated, I would have realized that there's nothing in the world that would make Bartlett happier than to learn that, historically, these interlopers, Egan, Gruening, and Rivers, who are there to steal the glory of statehood away from him along

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with Atwood, the little man for statehood movement -- by God, it just made his day. It was -- he fell in love with the whole idea and showed it to a lot of people and, you know, all very quietly. So when I graduated, I went to Miami because my dad was down there and he had cancer, and I had registered to go to the university or -- or to -- to George Washington. I wanted the combined curriculum for law and international relations, from which the government CIA people I found out later. I was very naive. But I -- I wanted to go down there, and we also wanted to get the hell out of the cold, you know; I had had enough of that, I thought.

MR. MITCHELL: Had you grown up here?

MR. JENSEN: Yeah. I grew up in Anchorage. We (indiscernible) 40 acres. But -- well, I got stranded down there. I mean, I -- I had money because I worked in construction and -- but I got stranded. I was only able, with two years, to get eight hours of law school and -- because of the tuition. And what happened was Bartlett was on -- there was an old senator from Florida -- no, he was from back East from somewhere who had a talk show on the -- the radio in Miami. And Bartlett was invited down to be his featured guest. Well, I kind of remembered that experience, you know, and I thought, well, I was pretty desperate. So I wrote him a letter and I, you know, it was one of these, "You'll remember -- you don't remember me, but," type letters, you know, it, you know, it gets a writer. And I got -- I got the telephone call from Mary Lee. And she said that he was going to -- where can I be reached because he was -- yeah. So I was working for the internal governess service at a job I detested. And it just happened that I was three days out in the field, squeezing money out of people who couldn't afford it, and two days in, and he called several times trying to get in touch and we missed it. So then at the urging of my parents, who were down there, they took our kids, and Nancy and I just jumped in the car, unannounced. I checked that he was there. We just drove straight through that 1,100 something miles and I presented myself at his doorstep. And all I ever really wanted -- all I ever dreamed of, was to get the IRS to send me to Washington State, where, at that time, we had the witchy program. I could get free tuition. And I figured if I got the tuition and worked for the IRS I may (indiscernible) going to law school. And we had our first interview with him (indiscernible), you know, and he says, "Well, I've got a quorum call, so Mary Lee will show you around." Well, she sized us up and kind of screened us and then Marge Smith (phonetic) had to size us up. And we didn't know what the hell was going on, you know. We just thought they were being nice. We got back in right after noon and Bartlett looks at me, you know, I'd driven all damn night and I was kind of dopey. Bartlett looks at me and he says -- and I stated my business -- and he says, "How would you like to work for me?" And I looked at him and I says, "Well, Senator, just to be dependent on whether or not, you know, I can make enough money so I can go to law school, because that's what I want to do." And my wife kicked me. Just gave me a big, healthy kick, you know, and Bartlett laughed. He saw it, you know, and he says, "Well, how much do you make now?" And I told him, and he says, "Well, if you made that much here and had enough more, what else would you need?" And I said, "Well, I got to buy books and there's tuition and, you know, aside from that --" "Well, are you paying your bills now?" I said, "Yeah." So he said, "Well, come back at 2:00." And by 2:00 Mary Lee had called BLS and got -- called all the law schools. And on this big long memo about the cost of living differentiation between Miami and D.C., they added that. They added the average law school tuition and book expense and add \$100 to that and that is what they started me at. And it -- you know -- just I -- I -- even today I get all teary eyed about it,



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you know. And what he got was a very, very green kid, who would have had to be told to kill for him more than once. I mean, you know, if anything he ever said to me I would have done. And I was always proud to be with him. He -- he was just a fabulous individual.

MR. MITCHELL: Right. Now what -- what year would that have been?

MR. JENSEN: That was 1959. Right after --

MR. MITCHELL: Right after statehood.

MR. JENSEN: Yeah. Well, see, he was up to his ass in new positions.

MR. MITCHELL: Right.

MR. JENSEN: Josephson had come on right at statehood in the delegate's office. And he brought Marge Smith and Mary Lee over. And it was just Joe and Margie and Mary Lee and a couple of secretaries. And then Bill Foster came along later, and Hugh Gellered (phonetic) was there for awhile. But it grew, you know, as -- as those things grow. But it -- it was a -- he was -- he was -- (indiscernible) believed in austerity. The only time I ever got any damn raise was -- was when we had a kid. We ended up having four children before I got done with law school. And that was the only time I ever got any more damn money. But yet, he got word back -- I got up here, and I took a job as a superior court law -- law clerk and was making 3-, 4,000 less than I made there. And I got a call from -- I -- I've never known for sure. I have my suspicions about who reported because I couldn't pay my fuel bills. This was a really serious (indiscernible). I got a call from him, asked how I was doing. I told him I was doing fine and this sort of thing. And he says, "I've looked at my records. It says you were here for four years and you never took a vacation." Which was true. I never did. And I said, "Well, I've never thought about it." And he says, "Well," he said, "I'm making arrangements." (Indiscernible) And I got a U.S. Senate check for each of the next three months. You know, it was -- I don't know -- I -- I -- you could have blown me away on that thing.

MR. MITCHELL: Right. Now, it's interesting; I've talked with a lot of people from the old days, including Mary Lee --

MR. JENSEN: Yeah.

MR. MITCHELL: -- who's still alive and kicking there in Silver Spring, and it's --

MR. JENSEN: Yep. She ought to be in Shannon. That's where she always wanted to go.

MR. MITCHELL: To China?

MR. JENSEN: Shannon, Ireland.

MR. MITCHELL: Oh. Oh. Shannon, Ireland.

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MR. JENSEN: Yeah, but is it -- but her mother's not alive.

MR. MITCHELL: No. She's -- I didn't even know she was still around. And, you know, Vic Fisher's very close to her. And Vic, when he was in D.C. last year, had -- had actually gone out of his way to look her up and see how she was doing and stuff. And so he mentioned to me that she was still around. And I had a, you know, delightful hour or so.

MR. JENSEN: She is a wonderful, wonderful woman. She was my mentor.

MR. MITCHELL: But anyway, everybody speaks --

MR. JENSEN: Yeah.

MR. MITCHELL: -- all those people, to this day, exhibit such loyalty, you know?

MR. JENSEN: Well, I -- you know, I think one of the nicest things anybody in my life has ever -- I never had anyone say to me (indiscernible) before she died used to call me every time she'd come to Anchorage. And we'd go have a martini for lunch. And she was a delight. And I think the biggest compliment I ever got was (indiscernible) grabbed my hand one time and sort of (indiscernible) and she says, "Ken, out of all Bob's boys, you're the only one that's every tried to use it." And I just -- you know -- and I'm not saying that that's the truth or not, but that was her perception, and I thought that was a damn nice perception.

MR. MITCHELL: The -- was -- was Bartlett a person with a point of view about Native people, do you know?

MR. JENSEN: He was. I think he -- I think Bartlett had what people of his generation had, and that was a -- a perception that we had to make those people more like us in order to do the best we could to help them. And -- and as long as they were less like us, the more they needed time to be left alone. Or if they were going to have -- be a better course with the -- the -- the white civilization. They had to convert and become white Natives. I think that was -- I don't know whether others have expressed any opinions, but I'd be curious to know whether my perception --

MR. MITCHELL: Well, actually, I haven't talked to Joe about it yet, but I did come across a -- actually a tape of some stuff that he did for the statehood movement with the (indiscernible) years ago.

MR. JENSEN: Yeah.

MR. MITCHELL: And Joe says pretty much the same thing, you know, that he was on those, you know -- he went out with Bartlett and -- and Marston (phonetic) when they would make these sweeps through the Villages, you know, to tell everybody to vote for statehood and --

MR. JENSEN: Right.

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MR. MITCHELL: -- and that Bartlett's view of who he was dealing with is a very, sort of -- you know -- he cared about them, but it was a very, sort of, paternalistic, kind of simplistic --

MR. JENSEN: Did Joe tell you the "Bob Bartlett you big bullshit" story?

MR. MITCHELL: No.

MR. JENSEN: That's a great story.

MR. MITCHELL: Yeah?

MR. JENSEN: He was up in the Arctic a couple years after statehood. He drew the short straw and became senior senator --

MR. MITCHELL: Right.

MR. JENSEN: -- and had the short term. And he got out of the plane and they went to a Village meeting. And this very old Eskimo lady walked up to him and says, "Bob Bartlett, do you come the Village and tell Native people statehood come, everything be good," blah, blah, blah, she moves on. She says, "Now me permit to gather wood. Don't get this, don't get that." And she goes on and she looks at him and leans over and says, "Bob Bartlett you big bullshit."

MR. MITCHELL: What did he say to that?

MR. JENSEN: Nothing. He told the story on himself. Frequently. There's very little left to say.

MR. MITCHELL: Well, that's interesting. You know, in that regard, is that certainly Bartlett and -- and Gruening and everyone went out and -- and really stumped for statehood in the Bush. And you look at those statehood votes, and the Bush voted overwhelmingly for statehood for the most part.

MR. JENSEN: Oh, yeah.

MR. MITCHELL: You know, there was never any discussion that, you know, there could in fact -- you know, you vote for statehood and you're going to create this new, sort of, monster that will have its own agenda with respect to, you know, you have enough trouble with the -- with the federal government, and now all of a sudden you're voting to have these other people interested in your situation.

MR. JENSEN: Yeah. Well, it -- you know, it -- I went through the statehood movement and, as I say, I -- I was very alert politically. I was naive as hell, but I was alert. And, you know, we really -- we really believed taxation without representation. We were very personally affected by McCarran-Walter's Act. I -- I -- God, I was just in high school, you know. And that was one of the biggest insults.

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MR. MITCHELL: Was that --

MR. JENSEN: The McCarran-Walters is the one that made difficulty to -- to enter the United States from Alaska.

MR. MITCHELL: Oh. Is that the one where they had customs in Seattle?

MR. JENSEN: Oh, yeah. Yeah. Right. And you know, there and -- and -- and the feds. When I was in high school, the old city hall had the police station on the front lawn, and it was an old barracks building. And right next to that was a little bitty barracks building, which was the MP station. And above the MP station they had a huge red cross that said pro-station. And, I mean, you don't have to be a terribly sensitive person to feel that the federal government deemed itself an occupying force in a semi-hostile environment when you see things like that. I mean, you don't have to really have a chip on your shoulder. And when McKay came up here and went to Mulcahy Park and told Alaskans that they weren't entitled to statehood because they didn't act like ladies and gentlemen because they booed him. I mean, those are the kind of things that a young kid remembers, you know? And the -- the mats terminal out there controlled air traffic. Nobody who was in the newspaper, who had ever been in Time magazine, or you ever heard about on the radio, ever got into Anchorage off the goddamn Base. They were there with the Military. And the generals would take them to tour through the colonies and titter and point their fingers and this sort of thing. And we were paranoid about it. Bartlett shared that, and I -- I -- as to the villagers, I don't think that they'd had any decent experience with the federal bureaucracy. I mean, the -- the Native health service treated them terribly --

MR. MITCHELL: Right.

MR. JENSEN: -- and the -- the times they got attention, it was negative, and the rest of it was mostly benign neglect. And, of course, we all clutched to embrace the phoney fish trap issue. We got --

MR. MITCHELL: Oh, yeah.

MR. JENSEN: I remember -- I'd get so embarrassed when I think about, you know -- poor Jim Fitzgerald trying to put a brief together to justify abolishing fish traps, you know? It's -- but, you know, those were heady times, you know? And we felt very, very strongly about it. And I -- I think the Bush folks generally trusted Bartlett. Gruening -- Gruening was another study entirely. And Bartlett used to take great pleasure -- he -- he had a pretty son. We had deligation meetings and those were highly turbulent because all they involved was Ralph Rivers reading his constituent mail out loud and asking people how to answer it. And, you know, Rivers -- he was something else. But Gruening would call -- he'd get mad about something -- get hot. So he'd call a deligation meeting and he'd just announce it, you know, because -- yeah. And everybody had to be in his office. So Bartlett had called me, and he gave me documents that he felt that might be necessary issues to brief me and sent me paddling over there to the -- we were at the old senate office building. Gruening was across the street. He had Pat over there, and I'd get in there and

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George Sunberg would say, "Where's Bob Bartlett?" And I'd -- the first time I said, "Well, I'm sorry, George," you know, "he's not able to make it. He asked me to come and listen in." George said, "Oh, shit," you know. So he'd go in, and he talked to the old man and Gruening, and you could hear him yelling, "I don't want to see anybody -- I want -- where's my goddamn Bob Bartlett? I want him here now." And I got thrown out of Gruening's office -- oh, it had to be a dozen times. And the first thing that had happened when I'd get back, "Boss wants to talk to you." He'd get in just like a little boy. He'd say, "What did he say? What did he say?" You know, I was -- I was the pawn designed to -- to irritate the hell out of Ernest Gruening, but -- because I was lower than snot, you know. And I was all that Ernie could get. But the offices the -- the -- they kept up the facade of cooperation, but Bartlett was a consummate senator, team player, to whom was -- were owed a jillion political chits, and to who honored his. Hence the support for the Linda Johnson of the convention, you know. But Gruening, you know, he couldn't get squat out of the senate because he wouldn't play by the rules. And I got mixed emotions about that. It -- it -- the fact is Ernest Gruening was probably one of the most arrogant, selfish, self-centered sons of bitches I ever met, and was at the same time one of the most brilliant and articulate people I've ever met. I mean, he was -- he was just that kind of strange blend. And you couldn't help but -- but admire him. But he was awfully easy to dislike, you know; he just -- he's just East Coast.

MR. MITCHELL: Yeah. It's also interesting that, you know, Gruening made Bartlett and was very much his mentor early on. And then, sort of, that -- as -- as frequently happens with mentors and --

MR. JENSEN: That was --

MR. MITCHELL: -- and accolades, you know, they sort of passed each other people by. I think that would be irritating.

MR. JENSEN: If you're interested in that part of it, you ought to talk to Mary Nordial -- of course Mary has -- Mary -- you know, Mary's opinions. I'm an opinionated person, but Mary is just incredibly opinionated. But she -- she has a lot of insight into the earlier years and some rather damning opinions, as a matter of fact, about Bob when he was in his drinking days. He -- I've always perceived that Bob Bartlett stopped drinking because one day he woke up -- and he already knew he had diabetes and he was going to die -- one day he woke up and realized that statehood really could happen. And I think that -- that that was a turning point for him. I think that after that, you know, I think he became, kind of, a guy with a mission. And --

MR. MITCHELL: That would have been in the late '50s then?

MR. JENSEN: Yeah. Yeah. I would say it -- it was -- well, I know he was still drinking in '50 -- in the mid '50s. I went up to Fairbanks in '53 and left in '57. About '54, '55 I know he was drinking because I drank with him. But then I didn't have anything to do with him until '59, and he was an absolute teetotaler at that time. He always had a drink in his hand. He was always at a different level. I never saw it touch his lips. I never figured out how he did that. And he smoked incessantly and was very unhealthy and that was another one of his bad habits.

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MR. MITCHELL: So then he pretty much had the drinking under control from there on out?

MR. JENSEN: He did good. Well, from the time -- from '59 until he died, I never knew him to take a drink. Never saw it. Not so much as a glass of beer. And that was at a lot of social occasions in his house and, you know, here and there. He just -- he just didn't do it. And --

MR. MITCHELL: Well, I guess, actually, sort of back to the original proposal. I -- we sort of got off --

MR. JENSEN: I'm sorry I did that.

MR. MITCHELL: Oh, no. I find the -- needless to say, I find this stuff fascinating, but I guess one of the questions that -- that -- I guess I sort of started this off on, was whether or not this had been a specific policy directive from Bartlett to sort of do some thinking on whether or not you --

MR. JENSEN: I think I was a self-starter. I did all the land stuff in the office, a lot of mundane -- you know, like, Billy Roy Duncan's homestead --

MR. MITCHELL: Right.

MR. JENSEN: -- and constituent mail. And then my assigned thing was -- was these land analyses. And I was very troubled, and we were all very troubled about the possibility of -- of the thing getting all out of control. And I think I just -- I think I just kind of self-started on the thing. That's -- that's my guess, you know. And he -- I remember he liked it. I wish to hell I could find the earlier memos, but I have no idea where those have gotten to.

MR. MITCHELL: Right. Well, this is the only stuff I could find in the Bartlett era.

MR. JENSEN: Well, when I did go to -- I went to -- (Break in tape.)

MR. JENSEN: -- must have been. I'm trying to remember. But in any event, who the hell was attorney general?

MR. MITCHELL: Oh, it was George --

MR. JENSEN: George Hayes?

MR. MITCHELL: Yeah. George Hayes was --

MR. JENSEN: Yeah, okay.

MR. MITCHELL: -- attorney general in those days.

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MR. JENSEN: So I kind of stated my business to whoever it is I got screened by. And the word came back in no uncertain terms -- as a matter of fact, I did talk to Bill Egan, and the message was basically: You go tell Bob Bartlett to take care of what's going on in Washington and Billy is going to take care of what's going on in the State of Alaska. And there was -- Bill, who I counted as a dear friend, was -- was always real paranoid of Bob Bartlett. He was awfully (indiscernible) and very jealous of his prerogatives. He was a jealous guy, and I don't think he ever forgave Hugh Wade for permitting the State to survive while he was ill. He was just -- it was terrible, you know. But they didn't want any truck with that whatsoever and it just died -- died of boring. And then when I got back, I wrote this -- this letter. That -- that letter, I think, was requested by Bartlett. I think -- I think Bartlett told me to write the letter. And then it -- it was a dead end. I don't know -- now this date -- this is '62. By '62 this probably -- this may have been shared with Gruening's office. It's possible that this was shared with Gruening's office. The Gruening people used to steal things. Just absolutely merciless. I did a fisheries bill that got passed, as a matter of fact. And it was a formula -- federal formula based upon -- we had to find a formula that would give us a lot of money. And the problem is Manhattan and these other bottom fish on the East Coast -- the only way you could, you know -- the West Coast. The -- what we had to do was find a formula where the states where we needed the votes would vote for us. So this was a broke, crazy formula where we talked about the poundage of some coast and the value of the fish land in other east coasts so that we could end up getting a big chunk under the formula. We needed to get California a big chunk and we needed to get the Eastern seaboard money. And I started drafting that sucker over to Herr Deiser (phonetic). And we waited to see what had happened, and what happened is Gruening introduced it with about 25 co-sponsors not including Bob Bartlett.

MR. MITCHELL: Did -- did Bartlett have a word with Gruening about that kind of behavior or did he just let that sort of stuff slide?

MR. JENSEN: I never saw an affront -- a quarrel between those two men. They ignored each other, and they avoided each other. They badmouthed each other, but I never saw them in a room having a knockdown, drag out, and I saw them in a room together a lot of times. It was always a very cool, courteous exchange. Gruening seemed to treat Bob like an illiterate colonial most of the time. And maybe that was a perception (indiscernible) but -- Yeah? MR. ROTH: Can I have my briefcase?

MR. JENSEN: Oh sure. Don, this is my partner Jeff Roth, Don Mitchell.

MR. MITCHELL: Don Mitchell. MR. ROTH: Don, nice to meet you. I got to run.

MR. JENSEN: Sure thing. But yeah, Bartlett delighted in talking about the frailties. He had a collection of early articles, you know, with -- when Roosevelt jerked Ernest out of the -- the Pan-American Union talks because he was (indiscernible) resurrection, saying things, which in this day and age made a lot of sense. But he was (indiscernible) a revolution down there because he didn't think people ought to be subjected to dictatorial policies of some of our trusted allies in the Pan-American Union. And the -- the popular lore that Bartlett professed to -- to know is that Herr Deiser was exiled to Juneau to get him the hell -- somewhere.

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MR. MITCHELL: That's -- that's the popular --

MR. JENSEN: Yeah.

MR. MITCHELL: -- conventional wisdom, that Hickeys hated Ernest Gruening. And, you know, he was the one guy -- you know, Ernest was supposed to be working for Harold Hickeys, right?

MR. JENSEN: Yeah.

MR. MITCHELL: And nothing here. And Harold Hickeys turned around there'd be some deal going down. There was really nothing but causing him trouble and who had done it, but Ernest Gruening was his guy.

MR. JENSEN: Yeah. I -- I don't find that hard to -- to believe at all. Bartlett -- Bartlett kept files with contemporaneous records, you know, contemporaneous news accounts of Ernest Gruening and other young radicals. I mean, he -- he seriously disliked Ernest Gruening. And Ernest was such -- he -- he was such a headline grabber and so well put. And I don't know -- did you know Bartlett? Did you --

MR. MITCHELL: No. I was -- I didn't get up here until the end of summer.

MR. JENSEN: Have you ever heard any of his recorded speeches?

MR. MITCHELL: No.

MR. JENSEN: He had to be, by, far the worst public speaker that anybody has ever been subjected to. He was wonderful, contemporaneously, with a group of two or three people. Just -- fabulous story teller. Just warm and gracious and amusing. But if you put a microphone in front of the man, he was horrible. Just absolutely awful. And he -- he also was not a -- he was not a headline grabber. I wrote a speech -- oh, God, it was a political speech. Eisenhower -- what the hell was it? It was during -- during the national campaign, and I -- it was -- it was really good. A good speech. Not typically Bartlett. In fact, I think he only gave the (indiscernible) hadn't been on the record. I don't think he did that because (indiscernible) got hard enough. But after he does it, he says he rose and he -- he says he will (indiscernible) make a speech. And he said, of course, it was prepared by, and he names me and this sort of thing. And one of my jobs was to go -- whenever he was going to make any major statement, I would go sit on the floor of the senate and as soon as he sat down and the reporter changed, I'd run back into the senate reporters and expunge all the bullshit where -- where he gave credit to other people and that sort of thing. Gruening had -- needed a protector. This is a wonderful Ernest Gruening story. Ernest was death on foreign aid. Just absolutely death on foreign aid, you know. Now the charity begins at home, and there was an appropriation bill, and it had a whole bunch of money that was going to go to the Third World and some to African nations. And I -- it was Jimmy Eastland (phonetic) who was -- was, I'm sure -- I don't think it was Talmadge (phonetic), because Eastland was so much more clever than Talmadge. And Eastland gets up and he says -- he says, "Will the distinguished



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Senator from Alaska yield for a question?" And Eastland started leaning and Ernest was all carried away with his own eloquence. And he says, "As a matter of fact, will the junior Senator from Alaska agree that the technology that we're giving to some of these people is beyond their capabilities to use at this point in history?" "Why, yes. Of course I'd agree with the distinguished Senator from Mississippi. And would the distinguished junior Senator from Alaska agree?" This, that, and the other thing, and Ernest kept going that Eastland got him on a role. And the last question, "And as a matter of fact, would not my distinguish friend from Alaska agree that some of these people are just barely out of the trees?" "Well, I'd certainly agree with the distinguish Senator." It was -- it was -- pandemonium. And, you know, most of the people on the floor knew that Eastland was doing a fabulous number on the old man. And somebody called George Sunberg, and Sunberg got there, and it never appeared in the record, you know. It was just that spastic.

MR. MITCHELL: Well, then, this was your idea on this land claims thing, though -- obviously was not stolen by Gruening, so I assume they were never involved in --

MR. JENSEN: I don't think they were. And I -- I'm just saying that it might have been given to him after the fact. I don't know. I don't remember that specifically happening. By '62 -- this was toward the end of my time there -- and I -- by '62, very little was being exchanged with Ernest's office. I mean, they -- the relationships were really chilled out by that time.

MR. MITCHELL: So did you leave in '62?

MR. JENSEN: No. I left in '63. Yeah. Did I? Yeah, I left in '63, I think.

MR. MITCHELL: Okay. Did -- so then I guess to -- to sort of summarize all of this, the merits of this proposal, even though it had Bartlett's support, Egan dismissed the whole concept out of hand because this was a Bartlett idea, and I didn't even want to look -- I didn't even want to hear about that.

MR. JENSEN: That's basically right. And -- and Bartlett never pressed it. Not that I know of. And -- well, I noticed here my friend Bill Bish (phonetic).

MR. MITCHELL: Right. That was as late as '66 --

MR. JENSEN: Yeah. Yeah.

MR. MITCHELL: -- apparently was still kicking around --

MR. JENSEN: Yeah.

MR. MITCHELL: -- and best expressed is a lot of operational problems with it, but not --

MR. JENSEN: Yeah.

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MR. MITCHELL: -- some of which I think was reasonable criticism, you know?

MR. JENSEN: Yeah.

MR. MITCHELL: Weren't -- I guess that -- actually, that does raise another interesting question, and that is, did you guys have any dealings '61, '62, '63 with the Interior Department about land claims at that time?

MR. JENSEN: Oh, yeah. There was --

MR. MITCHELL: Jim Officer was down there at the BIA --

MR. JENSEN: Yeah.

MR. MITCHELL: -- and these other people, and there was really not much -- you know -- they had this big task force that they put together in '62, and not much really happened in the -- and it wasn't until '67 that the department could get --

MR. JENSEN: Yeah.

MR. MITCHELL: -- it's first land claims bill out of it, so --

MR. JENSEN: Well, during the Eisenhower period -- well, Eisenhower's -- of course, I was only there during Eisenhower and part of the -- the first part of Kennedy.

MR. MITCHELL: Right.

MR. JENSEN: And Bartlett told me that the -- the Eisenhower administration was -- was more highly political in terms of dealing with congressional delegations. And any of the previous administrations, of which there had been several, with which he dealt, you just didn't get into the White House if you were Democrat during the Eisenhower years. And that was -- that was carried forward in the departments. For instance, for the first two or three years I was there, Ted Stevens was legislative liaison officer for the Department of the Interior. And I could call some lowly statistician and marine biology and ask a question or address a letter asking a question -- just a statistical question, and it would be answered by Ted Stevens. I mean, he -- they -- the departments were universally that way. We kept our lines of adminis- -- of -- of communication open through the former Truman (phonetic) schedule seaguys who got popped into GS 50 and 60 and rolls as adjudicators and that sort of thing. And we had good liaison, good lines of communication, and a good spy network. But as to official discourse of dialog, as to how the problem could be solved and what solutions might be acceptable to -- across party lines and across the executive and legislative branch -- I was not aware that was even occurring. Bennett and Abbott were absolutely arrogant, totally -- I mean they -- they -- they were just like ivory tower guys. And -- and disliked. I mean, you know the -- they were tolerated. Occasionally they had to appear for summons when summoned. One of my acquired talents there was I could -- I could predict -- and I put a little note at the bottom of a draft -- what level of department officer

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was going to do what when the letter was received. Because there were certain key words that you used to let somebody know that it's going to be on pain of punishment if you don't at least get an under secretary knocking on the door. And, of course, that worked. I never messed with the military. You know, I could -- I could -- I could name the -- the -- the -- you know, not only whether he'd be (indiscernible) colonel, but how close he was to a star when you wrote those letters. So, you know, we had visitations of that sort, but insofar as having any intelligent dialog, I don't think it ever occurred.

MR. MITCHELL: Well, how about -- how about the -- when Udall took over down there?

MR. JENSEN: Well, Udall was, I think, a big -- a real plus, because Udall -- Udall brought with him some conservationist instincts that were not popular with the lifelong gold miner from Fairbanks. So that was how -- that was (indiscernible) how Bartlett perceived himself. And I don't -- Udall, you know, got along a hell of a lot better with Gruening than he did with -- with Bartlett. But really, surprisingly enough, I mean, you know, the -- the Senate committees, the Interior committee, and the Congress committee, didn't seem to me to really give a rats ass what the administration was doing. And the feeling was mutual right up -- down the line.

MR. MITCHELL: Right. Well, certainly in the House, I mean, you had Aspinall --

MR. JENSEN: Yeah.

MR. MITCHELL: -- running the committee. And -- and Udall had been a junior guy who kept his face shut --

MR. JENSEN: Yeah.

MR. MITCHELL: -- you know, before he got to be secretary, and I can't imagine the old man --

MR. JENSEN: Wayne (indiscernible).

MR. MITCHELL: -- suddenly being interested in Udall's policies about Alaska Natives or anything else for that matter.

MR. JENSEN: I'm not sure that there was ever a policy. I -- I -- when I think about it, I'm not -- I'm not at all sure. It was generally a reactive type thing, you know. (Indiscernible) anybody was trying to formulate policies. I think that people liked the -- the foundations and the Indian Affair groups and this sort of thing, probably were advancing pet proposals, but there was a lot of polarization -- very little dialog. I suppose you've looked at some of the committee hearings --

MR. MITCHELL: Oh, sure. Yeah.

MR. JENSEN: -- and, I think, committee -- see, I'm a -- I've -- one thing I took away from Washington was a pretty firm belief that, without very strong intelligent committee staff, it would be impossible to run the country. I mean, you know, because, really, if you waited for

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executive guidance, at least in my lifetime, to decide what a national policy was, you'd never have any national policies.

MR. MITCHELL: Right. Well, of course that's one of the -- I agree with that. In my experience in D.C. -- I spent a lot of time back there -- is one of the reasons the whole country is going to pieces is because of that. You have the committees attempting to micromanage the federal executive, and they do it because they're filling this power vacuum because, left to it's own devices, the federal consecutive can usually be counted to do the wrong thing. But you can't have a committee, over the long haul, micromanaging agencies.

MR. JENSEN: Well -- and -- and what really exacerbates the problem is this -- this tremendous increase in the -- the -- I think, assumption and -- and of undoubtful constitutional grounds of executive prerogatives which, constitutionally, wouldn't exist except by sufferance of people who want to be objecting. And then you couple that with an unwillingness to exercise the power in a policy sense, the vacuum becomes even greater because -- I don't think the federal government has a goddamn bit of business managing the public lands on an ad hoc basis. It just doesn't make any sense. And -- and, you know, the end result of it is the kind of mess we -- we have here.

MR. MITCHELL: Right. Well, now then, would it be -- would I be correct, then, in assuming that during those earlier -- '61, '62, '63 -- there were never real -- any real working effort between the deligation and Interior Department to try and get the Department off the dime on land claims, or --

MR. JENSEN: Well --

MR. MITCHELL: -- I mean, were there any other initiatives other than your initiative at that point?

MR. JENSEN: The price of -- I -- I think that, historically, the price of statehood was creating an -- a completely undefined status of aboriginal claims. Using, as I recall, the -- basically a paraphrase of the treaty in session of not disturbing the --

MR. MITCHELL: Right.

MR. JENSEN: -- you know, and everybody knew that wasn't the end of the story, but it was the price of statehood. That was just the price that had to be paid. After that, you know, the -- hell, we believed that the -- the Native Land Claims Act had worked. Honest to God believed that. It's hard to believe that we believed that, but we believed it. And it was a good utopian idea. Because remember what I said at the -- at the get go here, this philosophy that the way to help these people was to bring them into the mainstream. What's more mainstream than having a commercial corporation? I mean, you can't get more mainstream than that. We were overlooking -- we were not perceiving -- we weren't sensitive to the -- the -- the importance of the cultural heritage. Nor were we taking into account the special status of Indians constitutionally, and the fact that there's a huge bureaucracy -- bureaucracy that requires Indians as a constituency to

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continue its existence. And, I mean, this was far too complex to be solved with -- with the Native Land Claims Act. It was just far too -- too complex. So -- so, you know, it -- it -- it was thought, I think, that at least, you know, this will make it go away. This -- this will stop it from being a -- a problem for which people are going to have to contend.

MR. MITCHELL: But -- but there was still -- well, in those early years, '61, '62, '63 -- was just sort of drifting inside the Department then?

MR. JENSEN: Oh, I think so. I don't think there was any federal policy at all. I think the federal -- to the extent of the executive branch policy existed, it existed for the purpose of perpetuating the growth and autonomy and strength of various bureaucrats whose constituencies were Native people. I mean, it -- it was just as clear as that. I -- and I think that probably continues right on today with -- without much change at all.

MR. MITCHELL: Well, look at the Indian Self-Determination Act of what? Sixty-eight?

MR. JENSEN: Right.

MR. MITCHELL: However many years ago that was, that was the whole point of that, was we'll contract the bureaucracy away to the Indians and then we'll be rid of the BIA and all you have now is bigger --

MR. JENSEN: Yeah.

MR. MITCHELL: -- BIA. But now it's to keep track of all the contracts, you know. So the -- once the bureau figured out a new role for us -- Listen, the -- I'll let you run. The -- the last question I had just -- I just happened to think -- were you aware -- did -- were you around -- and I guess you were in Fairbanks when Stevens first arrived on the scene with U.S. attorney?

MR. JENSEN: Oh, yeah.

MR. MITCHELL: What was he? Was he as -- as (indiscernible) in those days as he is now?

MR. JENSEN: Yeah. He's a hothead. Always been a hothead. He was hard working, hard driving, able prosecutor. Very political, to the extent that it matters a hell of a lot, you know. Little Fairbanks was -- Fairbanks has always been hyper political. I mean, you know, back then the Ringstads and the Earlands and the first families among the republicans were there. And Ted -- Ted mixed, you know -- but, yeah. He was a very opinionated -- a very opinionated guy. And -

MR. MITCHELL: Was he well thought of up there in those days?

MR. JENSEN: To the extent, you know, when he was there, he was the U.S. attorney, and there were no state attorneys, so he was -- well, he was assistant U.S. attorney.

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MR. MITCHELL: Right.

MR. JENSEN: And, you know, I don't remember him taking much gaffe. I mean, how would he take it? We -- I worked at Jessen's Weekly, and our idea of a -- a real exciting story was that Maddie Stipovich (phonetic) had another kid. I mean, you know, that was, you know, how -- how investigative we were. The -- and of course, Ned wasn't going to say anything bad about him.

MR. MITCHELL: Right. Well, he was Ned's boy.

MR. JENSEN: Yeah. So, I mean, it just -- he could really do no wrong, you know. And -- and as a prosecutor -- I think he probably had the good killer instinct of a prosecutor. And, you know, let's face it. Ted is a -- an able, smart guy who was capable of ingratiating himself with -- with anybody if he chooses to do so.

MR. MITCHELL: Right. Well, the only reason I ask is it's interesting going through a couple of archives that, you know, Stevens very briefly was hooked up with the American Association and Indian Affairs and represented Minto for a little window of time.

MR. JENSEN: Right.

MR. MITCHELL: And in the whole politics of -- of him getting involved with Minto, that was not Minto's idea. That was -- that was the East Coast guys who he had ingratiated himself to. And there's a lot of correspondence about how there were a lot of people in Nenana and Minto and elsewhere that didn't much think that Ted Stevens was the guy they wanted out being their mouthpiece because of what they viewed as his -- sort of, his lack of sensitivity to their problems back in the days when he was the U.S. attorney, but I've never been able to find anybody.

MR. JENSEN: I think Ted is --

MR. MITCHELL: I mean, I talked to Ted about it, and of course, you know what response I got there.

MR. JENSEN: Ted wanted to be the United States senator. He loved Bartlett. He admired Bartlett, and he was sincere. He was absolutely sincere with admiration of Bob Bartlett. And he tried to emulate Bartlett. I mean, he started his first four or five years -- even now his constituent service --

MR. MITCHELL: Right.

MR. JENSEN: -- department is a Bartlett model.

MR. MITCHELL: Right. Well it's -- it's the best of three.

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MR. JENSEN: Oh, yeah. But he's, you know, he's an opportunistic guy. You know, he's worked hard to -- to be where he is and stay where he is.

MR. MITCHELL: Of course. Actually, that's the other thing, and maybe you were back East at the time, but it was -- it is interesting, to Ted's credit that, you know, when he came back and immediately ran against Gruening in '62, you know, which would be about as foolhardy as me running against Ted in 1990, right? I mean, just some guy from -- who wants to be somebody, so you go out and, you know, the odds of doing it -- but it was actually a pretty smart move --

MR. JENSEN: Yeah.

MR. MITCHELL: -- in a lot of ways. But it is interesting that he ran very much on a pro-land claim settlement platform. And it's interesting going back in the archives and looking at -- at the written documents of what, you know, he wanted to do about land claims. It was very -- it was a very sophisticated view of the situation, you know, that, you know, the problem here if -- if Stedman and his people can get through their racism and realize the problem here is not the Natives, it's the federal government, and -- and if we just got -- stole 105 million acres from them, and we could help these Natives steal more --

MR. JENSEN: Right.

MR. MITCHELL: -- and the Natives aren't just going to sit on it. They're going -- they're going to want to make a buck too. And we, you know, the Fairbanks and Anchorage Chambers of Commerce could be there to help them.

MR. JENSEN: Yeah.

MR. MITCHELL: And for 1962 -- since that's pretty much the way it turned out --

MR. JENSEN: Yeah. Yeah.

MR. MITCHELL: -- but do you remember any of that in that campaign or was it just, he was such a weak candidate that he -- you didn't care?

MR. JENSEN: Well, yeah. That was the year he got caught with -- the big -- the big thing I remember was he and Lowell Thomas getting caught tearing down signs and -- Craig or whoever the hell it was.

MR. MITCHELL: Right.

MR. JENSEN: He wasn't taken seriously. Nobody was listening a hell of a lot to him back then, I don't think. And, of course, I disliked him from the -- the Bartlett days because he was such an arrogant prick when he had power. You know, he -- he was -- he was, again, a very close friend and loyal person to Bartlett, but Ted has never treated staff very generously. He, you know --

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MR. MITCHELL: Including his own, I might add.

MR. JENSEN: Yeah. From our perspective, you know, he -- you know -- you get on the phone and you talk to the Interior guy and they say, "Well, we'll have someone get back to you." And we just routinely say, "I don't want to talk to Ted Stevens, I've talked to Ted Stevens before." Those guys ran that department just like it was the Gestapo. And I never could figure out what secrets they really had. I mean, you know, I never suspected, I mean, that we were -- we were brewing up a new teapot (indiscernible). I never gave them thought, you know, the scandals, but they treated it like it was a (indiscernible) I think that kind of was a reflection of the whole administration.

MR. MITCHELL: Well, I've pretty well --

MR. JENSEN: Well, I don't think I've been very helpful.

MR. MITCHELL: No, actually --

MR. JENSEN: I have enjoyed rem- -- you know, as I've talked, I've remembered some things that -- that I hadn't thought about for a long, long time.

MR. MITCHELL: No, actually, I think it's (indiscernible) been helpful to me. One of the reasons that I personally was -- was both startled and attracted to your proposal from -- you know -- when you put these things back -- I mean, now, big deal --

MR. JENSEN: Yeah.

MR. MITCHELL: -- but to go back to 1962 is that, you know -- a big part of the State's problem in my view, is that it didn't zen out the whole situation. It kept fighting and fighting and fighting it until the State eventually got trapped and overpowered. What I liked about your proposal was - - what it did is it put the State in charge of setting the terms and conditions of the settlement.

MR. JENSEN: That's what Bartlett loved about it --

MR. MITCHELL: Right.

MR. JENSEN: -- as much as anybody else.

MR. MITCHELL: You know, one of the -- and that seems to me if -- if the State -- when you look -- when you look at where, not only where the State was in '62, but more importantly where the Native community was, that obviously by '64 to '66 it was too late --

MR. JENSEN: Yeah.

MR. MITCHELL: -- because the lines had been drawn. But '62, you know, there was no Willie Hensley. There was -- there was nobody around.



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MR. JENSEN: I'll tell you who has a copy of the full memo and knew all about it, was another one of Bob Bartlett's strange bedfellows, and that's Clifford Groh. Because Cliff -- about five, six years ago called me up and told me that he was going through old papers and he'd found that, and told me about the Hubble's (phonetic) Republicans had. So Bartlett did circulate a good -- circulated beyond Egan.

MR. MITCHELL: Well, I'll have to -- Cliff and I did this in early December --

MR. JENSEN: Yeah.

MR. MITCHELL: -- and he said that somewhere in his garage he's got all of the old McCutcheon memorandum and stuff.

MR. JENSEN: Yeah.

MR. MITCHELL: As a matter of fact, I should get on the --

MR. JENSEN: The history of the creation of the Eklutna or the Tyonek Reserve has got to be just incredible.

MR. MITCHELL: Well you know, it's -- I've -- I'm going to try and do all of that. It is interesting that -- the Tyonek story is interesting because Cliff thinks that he and McCutcheon were really cutting edge with the whole thing. And when you talk to the people inside the Udall Solicitor's office -- and I'll tell you exactly the opposite story about how it all got worked out -- and which of these is true is -- is interesting. But what's real interesting is that money. There never would have been a claims act if it hadn't of been for Tyonek.

MR. JENSEN: You're absolutely right about that, Don. I thought about that for years. It -- and who -- who did what, whom I don't know, but I know damn good and well that given the state of law and our perception of the law, and our unwillingness to -- to tinker with the laws that then existed, made it impossible for that to ever occur without a backroom deal being cut between the state, federal, and plaintiff's lawyers approved by a judge happy to have shed of the whole goddamn mess. You know, no legal authority for it whatsoever. It just -- it was -- whether Stan deserves the credit or not, it was -- it was damn fine lawyering.

MR. MITCHELL: Yeah. But no, I agree and the -- but the interesting thing -- and it was also fascinating to talk to Cliff -- was that, you know, they -- that old -- that deal went down in '63, and so by '65 they had the money, and Tyonek was pretty much on its way, and so they still had all this big slush fund. And, you know, people today, particularly kids out in the Villages, you know, nobody gets on a plane unless somebody else pays for --

MR. JENSEN: Oh, yeah.

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MR. MITCHELL: -- their per diem, and there was, you know, no money around here. And Cliff says that they sat up in the top of the Cook, and -- without Kaloa -- and said, you know, now that we've got this money, this is a roll, and what we ought to do is -- is Tyonek ought to bet on the come and help the whole state get organized. And it was basically about \$200,000 worth of Tyonek money that put together that whole initial meeting in '66.

MR. JENSEN: I think that's quite true.

MR. MITCHELL: And you know, \$200,000 is a lot of money today. And in 1966 it was a shit load of money.

MR. JENSEN: It was a hell of a lot of money.

MR. MITCHELL: Yeah. And so between that and -- and bank rolling AFN to -- to input the 150 grand the next year. They never could have done it if it hadn't of been for that slush fund.

MR. JENSEN: And -- and there was a symbolic victory that suddenly made something that seemed so impossible become possible. You know, I'm scared to death of the sovereignty movement. I just -- it just scares me to death. I'm not -- I'm not afraid for any other reason than the -- the mischief it can do to finding a solution. And, you know, I -- I view it as -- as being the first step toward creating eternal barriers. At least eternal in terms of my mortal span to any progress being made whatsoever to -- to, you know, finding some way to -- to -- to solve the problems that we're -- we're wrestling with.

MR. MITCHELL: No. I -- I've gotten into much trouble because of my agreement with that. I drafted the -- the -- in fact, when Sheffield had this task force to figure out what to do about all of that and I was counsel to that and got paid to spend six months thinking about it.

MR. JENSEN: Yeah.

MR. MITCHELL: It was -- it was to report to that that crowd did that Matthews and Revenoitch (phonetic) used to drive a stake through the heart of this thing last year.

MR. JENSEN: Yeah.

MR. MITCHELL: And there have been a number of people in the Native community less than enamored that one of their mouthpieces was the -- the intellectual brains behind assisting the (indiscernible) --

MR. JENSEN: Yeah.

MR. MITCHELL: -- attempting to trash the sovereignty -- but I -- I fully agree with you.

MR. JENSEN: Scary.

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MR. MITCHELL: And somebody is going to get hurt, physically, before this is over.

MR. JENSEN: Well, I think so too.

MR. MITCHELL: And that's going to really change the whole --

MR. JENSEN: Yeah.

MR. MITCHELL: -- game. Well, listen I very much appreciate -- (End of audio recording.) -