

To: DFE From: Carolyn
Maine Indian Land Claims
May 28, 1980

Based on a preliminary review and evaluation of the material which we sent down to Udall's office on Thursday, May 22, 1980, (this included a personal letter from DFE, a copy of the Maine Implementing legislation, and a copy of the proposed Federal legislation) Frank Ducheneaux, counsel for Udall on the Interior Committee, expressed reservations about the following provisions:

1. The Maine Implementing legislation establishes a unique and rather innovative application of State and Tribal laws on any newly acquired land. Consequently, he anticipates Administration opposition to incorporating these new laws in any Federal legislation, as they are contrary to current Indian law.
2. He also pointed out what he interpreted to be an opened-ended provision to allow the State to alter or modify any of these laws in the future without Federal oversight and approval by Congress. He feels this would not be accepted by the Administration under any circumstances.
3. With regard to the \$81.5M level in the Federal legislation, he expressed pessimism as to whether the Congress would accept this amount of money. He added, however, that this is one of those provisions which would have to be sold on the floor of the House, and with adequate documentation, etc. there is a possibility of its passing.
4. He said that Udall expects certain things from any legislation:
 - a. All parties must agree. Ducheneaux does not expect the Administration to ever agree to this proposal as is. The Delegation would also have to be united.
 - b. Udall expects some token contribution from the State, over and above past monetary contributions through State Indian programs. As Udall mentioned the other day, no State contribution of any sort will not sell, and he cannot really accept it himself.

Ducheneaux was in the process of reading over the material when I called, and he emphasized that he had not had the opportunity to fully read or evaluate it. He has not talked to Udall on this to date, and stated that he would not be prepared to make any recommendations for awhile. It was his personal view that the State and the Tribes are asking for too much.