

Senator J. Bradley Burzynski
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Rep. Robert Pritchard
Illinois 70th District
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Aug. 4, 2006

Congressman J. Dennis Hastert
27 N. River St.
Batavia, IL 60510

Dear Congressman Hastert:

We are writing with concerns relative to the Potawatomi Nation's plans to develop property in the Shabbona area in DeKalb County. As you are aware, the Potawatomi Nation has purchased a large tract of farmland near Shabbona Lake State Park and has announced intentions to develop that property. We sense urgency and are requesting prompt assistance on your part on behalf of our constituencies.

We have discussed this issue with you over the past several years. Unlike past efforts that focused on proposals and discussions, however, the tribe now has taken physical steps to exercise what they feel is an unextinguished title to the land. The County of DeKalb has responded by issuing a stop work order since it has no evidence that the Federal government recognizes the Potawatomi Nation's claim.

Recent comments by spokesmen for the tribe indicate that the tribe is basing its ability to move forward on a letter from a solicitor for the Department of the Interior on Jan. 18, 2001. It was this solicitor's opinion that the Potawatomi Indians had a "credible claim for unextinguished Indian title to this land."

DeKalb County officials have indicated to us they believe an unextinguished title exists. Their research indicates that Congress gave the tribe the land and that no Federal action has been taken to change or void that treaty. Is the county correct in its assumption that an unextinguished title exists even though the property has been abandoned by the tribe and has been purchased and sold through the years by non-tribe members holding title to the property?

In addition, we request answers and clarification to the following questions:

1. What authority, if any, does the Jan. 18, 2001, letter carry?
2. Is the letter a personal opinion or an official legal opinion from the Department of Interior or the Federal Government?
3. Does the Federal Government have an interest in the status of this claim?
4. What is the legal status of the Prairie Band of Potawatomi Indians in Illinois?
5. Does the tribe have unextinguished title to the reservation, and what exactly, does that mean?
6. As mentioned before, there seems to be an urgency for the tribe to establish itself prior to Sept. 30, 2006. Is this because of proposed changes in Federal law? If so, is there a retroactive clause in the proposed change?

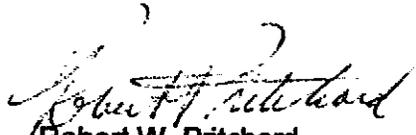
In summation, we are soliciting your assistance in determining whether or not any action has been taken by the Federal government relative to this claim, or indeed, if any action is appropriate. Additionally, under whose jurisdiction would the recently purchased property fall if the tribe does not have an "unextinguishable title" to the land, and what type of gaming could be conducted on non-reservation property?

We look forward to your response and assistance in this matter. Time is of the essence, and we look forward to your prompt response.

Best Wishes,



J. Bradley Burzynski
State Senator, 35th District



Robert W. Pritchard
State Representative, 70th District

CC: Ray Bockman, DeKalb County Administrator ✓
Ron Matekaitis, DeKalb County State's Attorney