

J. DENNIS HASTERT
14TH DISTRICT, ILLINOIS

THE SPEAKER

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Congress of the United States
House of Representatives
Washington, DC 20515-1314

July 28, 2006

Ray Bockman
County Administrator
DeKalb County Legislative Center
220 Main Street
Sycamore, IL 60178

Dear Mr. Bockman,

Thank you for contacting me with your concerns regarding the Resolution your office received from the Prairie Band Potawatomi Nation Tribal Council on July 25, 2006. I appreciate hearing from you and welcome this opportunity to respond.

As you mentioned, the Tribal Council which governs the Prairie Band of Potawatomi Nation recently passed a resolution which claims authority and jurisdiction over the approximately 128-acre land parcel they recently purchased in DeKalb County. In addition, the Tribe issued a public notice for a hearing on August 11, 2006, about a proposed change in land use for the parcel.

In response to your concerns about the validity of these claims, my office contacted the Bureau of Indian Affairs at the U.S. Department of Interior. They have informed me that neither the Department of Interior nor the State of Illinois have recognized their claim to this land, nor has the Department been contacted by the Tribe about having the land taken into trust – a necessary step to have the land classified as sovereign tribal land.

You may also be interested to know about a 2005 U.S. Supreme Court ruling on a similar matter - *the city of Sherrill vs. Oneida Indian Nation*. The Court held, 8 to 1, for the City of Sherrill in that an Indian Nation cannot regain the sovereignty of lands through open market land purchases. As noted in the decision:

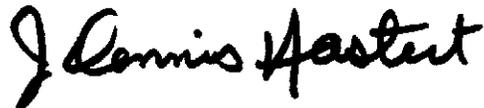
“Congress has provided, in 25 U.S.C. [section] 465, a mechanism for the acquisition of lands for tribal communities that takes into account of the interest of others with stakes in the area’s governance and well-being. Section 465 provides the proper avenue for OINNY to reestablish sovereign authority over territory held by the Oneidas 200 years ago.” [transferring Indian-owned lands from fee into federal “trust” status]

It should be noted that none of these steps have been taken by the Tribe.

Furthermore, with respect to your concerns about the establishment of a casino at this property, the Tribe must complete a lengthy review process by the Bureau of Indian Affairs. In order to move forward with its plans for a casino, the Tribe must undertake a series of steps involving both the federal and state governments. This includes having the land taken in to trust by the Department of Interior and forming a compact with the State of Illinois to allow for gaming at the site – something the State of Illinois has never done. This process traditionally takes years to complete. Again, let me state that none of these steps have been taken by the Tribe.

Any proposal faces a thorough review process by both the federal and state governments, which will offer multiple opportunities for public input. Please do not hesitate to contact me with any additional questions.

Sincerely,

A handwritten signature in black ink that reads "J. Dennis Hastert". The signature is written in a cursive, slightly slanted style.

J. Dennis Hastert
Speaker