



June 12, 2007

Ronald Matekaitis
DeKalb County State's Attorney
State's Attorney's Office
Sycamore, IL 60178

RE: Proposed Gaming by Prairie Band Potawatomi Nation in DeKalb County, Illinois

Dear Mr. Matekaitis:

Thank you for your letter dated May 15, 2007, regarding the Prairie Band of Potawatomi Nation ("the Nation") and its plans to develop a class II gaming project near the Village of Shabbona in DeKalb County, Illinois. The Office of General Counsel at the National Indian Gaming Commission ("NIGC") intends to conduct a legal analysis to determine whether the Nation may conduct gaming on such lands pursuant to the Indian Gaming Regulatory Act (IGRA), 25 U.S.C. §§ 2701-2721.

Our initial focus will be whether the proposed gaming site qualifies as "Indian lands" under IGRA, 25 U.S.C. § 2703(4)(A). Specifically, we will address whether the proposed gaming site is "within the limits of any Indian reservation." According to our understanding, the Nation's position is that the site is within the limits of the Shab-eh-nay Reservation, which was established by treaty and still exists as a matter of law because it was never disestablished by Congress.

DeKalb County is invited to submit comments, legal analysis, historical records, and any other relevant material to this office as we develop our legal opinion. Please provide any material relevant to the issue of whether the proposed site is within a reservation by July 13, 2007. Any other material that may be relevant to whether the Nation legally may conduct gaming under IGRA should be submitted by July 31, 2007. We are providing a similar notice and invitation to the Nation and to the State Attorney General, and you may disseminate this notice and invitation to other parties as may be appropriate. Any party wishing to submit material must abide by the above-referenced deadlines, and should limit any submissions to relevant legal, historical and factual considerations.

If you have any questions, please contact me at (202) 632-7003.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Nelson".

Jeffrey Nelson
Senior Attorney