



RENO-SPARKS INDIAN COLONY
★ CHAIRMAN'S OFFICE

34 Reservation Road, Reno, NV 89502
Phone: (775) 329-2936 • Fax: (775) 954-9175

October 30, 2017

Elizabeth Appel, Director
Office of Regulatory Affairs & Collaborative Action
Bureau of Indian Affairs
U.S. Department of the Interior
1849 C Street, NW, Mailstop 3642-MIB
Washington, DC 20240

Re: BIA-2016-0007

Dear Director Appel:

I write on behalf of the Reno-Sparks Indian Colony (Reno, Nevada) and in support of the Department of the Interior's efforts to modernize the Department's regulations at 25 C.F.R. Part 140.

Our Tribe believes modernized 25 C.F.R. Part 140 regulations are in the best interest of Indian tribes, the Department as trustee, and will provide more certainty to Tribes, states and local counties with respect to commerce in Indian country. The Reno-Sparks Indian Colony is a federally recognized Indian Tribe located near Reno and Sparks, Nevada. The tribal membership currently consists of 1,159 enrolled members from three Great Basin Tribes-the Paiute, the Shoshone and the Washoe, who make up the majority of approximately 1,500 people who live within the Reservation land base. The Reservation consists of approximately 15,609 acres the original twenty-eight-acre residential community located in downtown Reno, a 15,469-acre Hungry Valley residential community located ten miles north of downtown Reno, and eighty-seven acres of other commercial and governmental lands. The Tribe is governed by a nine-member Tribal Council, including the Tribal Chairman, who are elected to four-year terms.

The Tribe's primary revenue source is generated from sales and excise taxes levied on businesses and consumers engaged in retail transactions occurring on the Reservation. The largest portion is derived from commercial tenants who collect tribal sales and excise taxes from sales occurring on tribal land; and from tribal tobacco taxes from tobacco product sales at five smoke shops owned and operated by the Tribe. The Tribe levies these taxes pursuant to an agreement with the State of Nevada which stipulates that the Tribe must impose a tribal tax at least equivalent to the State's sales tax and/or excise tax on tobacco products. Through the operation of the five tribal smoke shops selling tobacco products to the public and retail sales tax revenues from businesses located on the Reservation, revenues are generated for the Tribe's general fund. These funds are used by the Tribe to support and expand vital governmental services for its membership and other Reservation residents, and to expand and diversify business enterprises on the Reservation. In addition to smoke shop and tax collection revenues, the Tribe operates a commercial real estate department that oversees commercial leases and develops commercial projects on the Reservation. These rental revenues supplement the Tribe's tax revenues.

25 U.S.C. § 262 states "Any person desiring to trade with the Indians on any Indian reservation shall...be permitted to do so under such rules and regulations as the Commissioner of Indian Affairs may prescribe for the protection of said Indians." This broad statutory authority provides the

Department the regulatory discretion to speak clearly in support of tribal self-governance over commerce occurring in

Tribal governments are taking on increasing levels of government responsibility, but receive inadequate federal funding for roads, schools, police and all government services. Through its proposal to modernize the Indian Trader Regulations, the Department has an opportunity to end centuries of dishonorable commercial dealings, fulfill trust responsibilities, and create a revenue base for tribal governments.

In addition, tax, regulatory, and service agreements with states and local governments would be encouraged but not required. For all of the aforementioned reasons, the Department should take the next step. Initiating a regulatory process will send a strong message to states and local governments that they must deal fairly on taxes and services. If you have any questions or concerns, please contact Chairman Arlan D. Melendez at (775) 329-2936.

Sincerely,

A handwritten signature in blue ink that reads "Arlan D. Melendez". The signature is written in a cursive style with a prominent initial "A".

Arlan D. Melendez Chairman
Reno-Sparks Indian Colony