

**From:** William Sommers [mailto:williams@lagunahousing.org]  
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**To:** Tribal Consultation Policy Comments  
**Subject:** Comments

Generic comments:

The Pueblo of Laguna has a draft consultation policy template that has been developed as a result of the numerous inquiries received after President Obama directed each Federal Agency to adopt a plan of action to implement Executive Order 13175. I've attached, for your consideration, a comparison of that policy with the HUD consultation policy.

Regardless of whatever changes are made, if any, to the policy – it's of utmost importance that the policy be followed. Based on the recent conference call and consultation meeting in Phoenix, it appears as though the September 2001 consultation policy never has been followed. While I can appreciate the comment of a HUD staffer at the Phoenix meeting when he said "...this is a new administration...", whether or not a policy is followed shouldn't depend on who is in the administration.

Comments specific to the Policy:

I. Introduction – The phrase "... establish regular and meaningful consultation and collaboration with Indian tribal officials in the development of federal policies that have tribal implications;..." is intended to describe the topics for consultation. How will it be determined which federal policies do have tribal implications and which don't have tribal implications?

II. Definitions – The following definition of "Consultation" goes beyond the mechanical/procedural described in the current definition and more thoroughly addresses the nature of the relationship with American Indian governments.

"Consultation" shall operate as an enhanced form of communication that emphasizes trust and respect. It is a shared responsibility that allows an open and free exchange of information and opinion among parties that, in turn, may lead to mutual understanding and comprehension. Consultation with Indian tribes is a unique government-to-government process with two main goals: 1) to reach consensus in decision-making; and 2) whether or not consensus is reached, to afford any party the opportunity to issue a dissenting opinion for the record, and more importantly to have honored each other's sovereignty.

Thanks,  
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