

Signed at Washington, DC, on the 12th day of April 2012.

**Hilda L. Solis,**

*Secretary of Labor.*

[FR Doc. 2012-9360 Filed 4-17-12; 8:45 am]

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### All Items Consumer Price Index for All Urban Consumers; United States City Average

Pursuant to Section 33105(c) of Title 49, United States Code, and the delegation of the Secretary of Transportation's responsibilities under that Act to the Administrator of the Federal Highway Administration (49 CFR, Section 501.2(a)(9)), the Secretary of Labor has certified to the Administrator and published this notice in the **Federal Register** that the United States City Average All Items Consumer Price Index for All Urban Consumers (1967 = 100) increased 116.6 percent from its 1984 annual average of 311.1 to its 2011 annual average of 673.818.

Signed at Washington, DC, on the 12th day of April 2012.

**Hilda L. Solis,**

*Secretary of Labor.*

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Tribal Consultation Policy

**AGENCY:** Office of the Secretary, Labor.

**ACTION:** Proposed policy: Request for comments.

**SUMMARY:** The Department of Labor seeks comments on a proposed tribal consultation policy. This policy would establish standards for improved consultation with federally recognized Indian Tribes to the extent that a conflict does not exist with laws or regulations. It would apply to any Department action that affects federally recognized Indian tribes and would require that the Department's government-to-government consultation involve appropriate Tribal and Departmental officials.

**DATES:** We will consider all comments received by June 18, 2012.

**ADDRESSES:** Submit comments and additional materials using any of the following methods.

*Electronically:* Submit comments electronically through the *Federal e-*

*Rulemaking Portal:* <http://www.regulations.gov>. Follow the Web site instructions for submitting comments for docket number: DOL-2012-0002.

*Regular Mail, express delivery, hand (courier) delivery or messenger service:* Submit comments to Jeremy Bishop, Special Assistant to the Secretary, Office of Public Engagement, U.S. Department of Labor, Room C2313, 200 Constitution Avenue NW., Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Jeremy Bishop, Office of the Secretary, 202-693-6452 or [bishop.jeremy@dol.gov](mailto:bishop.jeremy@dol.gov).

**SUPPLEMENTARY INFORMATION:** The U.S. Department of Labor's proposed policy on consultation with tribes is set forth below.

### U.S. Department of Labor

#### Tribal Consultation Policy

##### I. Background and Purpose

A. Executive Order 13175 and the Department of Labor's Relationship With Indian Tribes

B. Referenced Authorities

##### II. Guiding Principles

A. Government-to-Government Relationship and Tribal Self-Determination

B. Open Communications and Respect for Cultural Values and Traditions

C. Ensuring Consultation Is Meaningful

##### III. Policy Statement

A. Departmental Consultation Policy Generally

B. Implementation Responsibilities of DOL Operating Agencies

##### IV. Regulations

##### V. Unfunded Mandates

##### VI. Flexibility and Waivers

##### VII. Consultation Process Guidelines

##### VIII. Performance and Accountability

##### IX. Designated Officials and Points of Contact

A. Designated Departmental Official.

B. Point of Contact for Each DOL Agency.

##### X. Definitions

##### XI. Supplemental Terms and Effective Date

Appendix A—Executive Order 13175

### I. Background and Purpose

#### A. Executive Order 13175 and DOL's Relationship With Indian Tribes

The United States has a unique legal and political relationship with Indian tribal governments, established through and confirmed by the Constitution of the United States, treaties, statutes, executive orders, and judicial decisions. In recognition of that special relationship, pursuant to Executive Order 13175 of November 6, 2000, executive departments and agencies are charged with engaging in regular and meaningful consultation and collaboration with tribal officials in the development of federal policies that

have tribal implications, and are responsible for strengthening the government-to-government relationship between the United States and Indian tribes.

The Department of Labor (DOL) has collaborated extensively with American Indians and Alaska Natives (AI/AN) for many years in advancing its mission of fostering job opportunities, improving working conditions, and assuring work-related benefits and rights of workers and retirees in the United States. In recent years, senior DOL officials have conducted many site visits in Indian Country and regularly engage with Indian tribes and their representatives, including the National Congress of American Indians. The Department's collaboration with Indian tribes encompasses a broad range of DOL matters affecting tribes, including joint efforts to improve tribal program management, rulemaking, regulations, policies, waivers and flexibility, grant programs, contracting opportunities, and regulatory guidance.

The Department's Employment and Training Administration (ETA), for example, awards grants to Indian and Native American entities for programs that have become a key part of improving tribal economic self-sufficiency by ensuring that tribal workers have the skills to build and operate new infrastructure and facilities at the tribal community level and facilitate the creation of new business opportunities in Indian Country. ETA's Division of Indian and Native American Programs (DINAP) administers employment and training services grants to tribal communities in ways that are consistent with the traditional cultural values and beliefs of the people they are designed to serve, including youth and at-risk populations facing employment barriers. DINAP works closely with the Native American Employment and Training Council (NAETC), a federal advisory committee comprised of representatives of Indian tribes, tribal organizations, Alaska Native entities, Indian-controlled organizations serving Indians, or Native Hawaiian organizations appointed by the Secretary of Labor. The NAETC provides advice to the Secretary regarding the overall operation and administration of tribal programs authorized under Section 166 of the Workforce Investment Act (Pub. L. 105-220, as amended), as well as the implementation of other DOL tribal programs and services.

The Department's Women's Bureau (WB) has an ongoing relationship with the United Indians of All Tribes Foundation and works with its