

## Department of the Interior Departmental Manual

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**Effective Date:** 10/7/05

**Series:** Organization

**Part 112:** Policy, Management and Budget

**Chapter 21:** Office of Collaborative Action and Dispute Resolution

**Originating Office:** Office of Collaborative Action and Dispute Resolution

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### 112 DM 21

**21.1 Office of Collaborative Action and Dispute Resolution.** The Office of Collaborative Action and Dispute Resolution oversees implementation of the Administrative Dispute Resolution Act of 1996 and the Department’s policy on alternative dispute resolution and negotiated rulemaking. Consistent with all relevant laws, regulations and directives, the Office promotes the effective use of early collaborative problem-solving, alternative dispute resolution processes and negotiated rulemaking to produce innovative, equitable, durable solutions and public policy decisions, improve communication, and strengthen relationships. The Office provides leadership and coordination, establishes and communicates Departmental policies and guidance, monitors and evaluates implementation and program development, provides technical assistance, promotes best practices, and serves as the Department’s clearinghouse for information and resources related to collaborative problem-solving, ADR, and negotiated rulemaking.

### 21.2 Authorities.

- A. Administrative Dispute Resolution Act of 1996 (ADRA)
- B. Regulatory Negotiation Act of 1996
- C. Contract Disputes Act of 1978, as amended
- D. Alternative Dispute Resolution Act of 1998
- E. Environmental Policy and Conflict Resolution Act of 1998 (P.L. 105-156)
- F. Executive Order 12988, “Civil Justice Reform” (February 5, 1996)
- G. U.S. Equal Employment Opportunity Commission regulations, 29 CFR Part 1614
- H. Presidential Memorandum, “Designation of Interagency Committee to Facilitate and Encourage Use of Alternative Means of Dispute Resolution and Negotiated Rulemaking” (May 1, 1998)

- I. Environmental Policy and Conflict Resolution Advancement Act of 2003 (P.L. 108-160)
- J. Executive Order 13352, "Facilitation of Cooperative Conservation" (August 4, 2004)

**21.3 Functions.** The Office provides Departmental leadership and works with all bureaus and offices to increase and improve the use of alternative dispute resolution (ADR) and negotiated rulemaking, and to advance the appropriate use of collaborative planning, problem-solving and decision-making, in all areas of the Department's work, including: Workplace/Employment; Bureau Program Areas; Native American, Alaska Native, and Native Hawaiian; Procurement; and Regulatory and Public Policy. The Office performs the following functions:

- A. Oversees implementation of the Administrative Dispute Resolution Act of 1996 and other relevant laws, regulations, directives and guidance on the use of collaborative processes, ADR and negotiated rulemaking.
- B. Establishes Departmental policies and guidance on the use of ADR, negotiated rulemaking and early consensus-building.
- C. Develops and maintains a 5-year strategic plan and performance goals for carrying out CADR office responsibilities.
- D. Assures access to qualified third-party neutrals and ADR service providers.
- E. Tracks and evaluates the use of ADR and negotiated rulemaking and recommends improvements as appropriate.
- F. Advises on appropriate process or program design and assists parties in selecting appropriate third party assistance.
- G. Identifies and coordinates demonstration and pilot programs to expand and advance the use of collaborative processes, ADR and negotiated rulemaking.
- H. Leads the Interior Dispute Resolution Council comprised of designated dispute resolution specialists representing the bureaus, the Office of the Solicitor, the Office of the Executive Secretariat and Regulatory Affairs, the Office of Policy Analysis and the Office of Acquisition and Property Management, to coordinate efforts to build infrastructure and capacity to support full implementation of the Department's policy.
- I. Prepares an annual report to the Secretary on implementation of the Department's ADR policy.

**21.4 Organization.** The Director of the Office reports to the Deputy Assistant Secretary - Performance, Accountability, and Human Resources under the Assistant Secretary - Policy, Management and Budget. The Director is the Department's designated Dispute Resolution Specialist, and directs and supervises all functions and activities of the Office of Collaborative

Action and Dispute Resolution, and chairs the Interior Dispute Resolution Council comprised of bureau and office ADR liaisons to the CADR office. The Director carries out the functions of the Office assisted by staff members assigned to specific activities under the functional areas identified in 21.3.

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