

MEMORANDUM

SUBJECT: Alternative Dispute Resolution Program Development

FROM: D. Reid Wilson /s/
Chief of Staff

TO: Assistant Administrators
General Counsel
Inspector General
Chief Financial Officer
Associate Administrators
Regional Administrators
Staff Office Directors

In their memorandum of October 27, 1998 on alternative dispute resolution (attached), the Administrator and Acting Deputy Administrator enlisted your support for the greater use of ADR throughout the Agency as part of a Presidential initiative in this area. I want to tell you about further steps the Office of the Administrator is taking to assist in developing ADR programs.

At my request, Bob Ward, the Agency's Senior Counsel for Alternative Dispute Resolution, is setting up an ADR team to assist with Agency-wide ADR program development. Bob has already arranged several staff details to the Office of the Administrator to work on this team. I appreciate the support that several of your offices have given to this effort.

A primary responsibility of this ADR team will be to work in consultation with interested programs and the Regions to design an office of dispute resolution for the Agency. In addition, the team's immediate objectives include enhancing the effectiveness of existing ADR programs in program offices and the Regions and encouraging ADR use in new areas. The team will also consider elements of an Agency policy on ADR use that encourages meaningful involvement of communities and the public, and improved access to ADR services.

EPA is a recognized leader in the use of alternative dispute resolution thanks to productive work already underway at Headquarters and in the Regions. The Office of the Administrator's ADR team intends to build on that success through collaboration with ADR professionals throughout the Agency. Such a collaborative effort is already succeeding in the context of the Attorney General's Interagency Working Group on ADR. As Chair of the Civil Enforcement Section of that Working Group, Bob is working closely with the Office of Enforcement and Compliance Assurance's ADR experts to help with the development of ADR programs throughout the executive branch. I urge those offices that already have ADR programs to work with Bob and his team to consider how your programs can be made more effective, how an EPA-wide ADR office might support those efforts, and how we can share our experience and expertise with other agencies.

Over the next several months, Bob and the ADR team will work with you to pilot new applications of ADR across a wide range of programs at EPA. An effort is already underway by the team to develop a headquarters workplace ADR pilot. Beyond the workplace, I have asked Bob to focus on projects that assist Agency personnel, the regulated community and the public in anticipating and avoiding future disputes through collaborative processes that can identify shared objectives at the earliest stages of Agency action. This preventive use of ADR is a priority that has been identified by the President, and it will serve the Agency's overall reinvention objectives.

Deputy Chief of Staff Ray Spears is working closely with Bob and his ADR team to ensure the success of this effort. Ray and I would appreciate the full cooperation and support of all offices as we identify opportunities for expanding the effective use of ADR at EPA.

Attachment

cc: Ray Spears
Bob Ward