



DEPARTMENT OF THE ARMY

U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

CEOC-ZA

7 August 1990

COMMANDER'S POLICY MEMORANDUM # 11

SUBJECT: Alternative Dispute Resolution

1. The U. S. Army Corps of Engineers seeks to accomplish its missions in the most effective and efficient manner possible. To this end, the policy of the Corps of Engineers is to resolve disputes at the first appropriate management level through negotiation and, where appropriate, Alternative Dispute Resolution (ADR) techniques.
2. The Corps of Engineers is the leader in the Federal Government in using ADR. We have used ADR procedures successfully to resolve disputes in all of our mission areas, including contract claims, regulatory, environmental restoration, operations, and interagency policy development. Our managers have used a variety of ADR techniques to promote productive negotiations, including the mini-trial, non-binding arbitration, dispute review panels, mediation, and facilitation. We have established a comprehensive training program to institutionalize the skills and knowledge needed to make effective use of ADR procedures. We have published pamphlets and case studies on ADR techniques, and we offer assistance and advice on ADR procedures to field offices. We will continue these efforts.
3. I believe the concepts of cooperative, interest-based problem solving, which are basic to ADR, are part of a new spirit which we must encourage in responding to the challenges of the 1990's. The Corps of Engineers must be part of a partnership among the people we work with and those we serve. In the spirit of partnership, we must emphasize common interests, cooperative working relations, communication and understanding. This calls for new ways to deal with conflict. I believe that ADR offers management tools for dealing effectively with conflict while avoiding the expense and delay of adversarial proceedings. My Focus 90 program recognizes the partnership concept as one of two areas of emphasis.
4. Partnership demands the will to resolve disputes. Clearly, the best dispute resolution is dispute prevention. Acting to prevent disputes before they occur is key to building new cooperative relationships. By taking the time at the start of a project to identify common goals, common interests, lines of communication, and a commitment to cooperative problem solving, we encourage the will to resolve disputes and achieve project goals.
5. I support and encourage everyone in the Corps to be aware of opportunities for productive partnerships and to seek appropriate ways, including ADR, to resolve disputes.



H. J. Hatch
Lieutenant General, USA
Commanding